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# THE LOUISVILLE WEEKLY JOURNAL.

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## WEEKLY JOURNAL.

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The time paid for is printed after the name on each paper, and thus every week subscribers can see when their term of subscription expires. Timely attention to this on the part of those desirous of renewing will prevent much annoyance.

☞ All advertisements must be paid for in advance or ensured by a responsible person in this city. This will not be deviated from.

### AGENTS.

KENTUCKY.

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R. S. Bell, Port Royal.
W. N. Vanmeter, Shelbyburg.
B. F. Bennett, Bardstown.
W. H. Kistler, Mt. Vernon.
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B. M. Chambers, Georgetown.
Sam'l Ray, Jr., Tompkinsville.
J. A. Richart, Owingsville.
J. L. Mason, Cynthiana.
Thos. R. Taylor, Lewisport.

☞ The above gentlemen are authorized to receipt for money due us for subscription to our paper.


MONDAY, DECEMBER 11, 1865.

☞ Our readers must have perceived upon perusing our local columns on Saturday morning, two very important items of information in respect to the long and vexed question of slavery in this State.

One of these items is similar from the resolutions of Congress—a power recognizing the final adoption of the Constitutional Amendment forever prohibiting slavery throughout the United States, and considering it already a part of the organic law of the land, thus causing slavery to disappear from Kentucky, and all the laws in reference to it as now null and void. The other item we allude to is the decision of Judge Johnson of our Circuit Court in the case of the State against General Palmer for aiding a slave to escape from her master, and dismissing the indictment upon the ground above assumed by General Palmer that the Constitutional Amendment has been adopted by three-fourths of the several States of the Union, and is therefore a part of the Constitution.

The Judge takes "judicial knowledge" of the final adoption of the said amendment, and assumes that when the indictment against General Palmer was returned slavery had already ceased to exist in this State, by virtue of the success of the amendment aforesaid. When slavery ceases to exist all acts in relation to it cease to be operative. The court lays down the well known principle in criminal law that when a penal statute merely *malum prohibitum* has been repealed, or has expired, no party can be punished for a violation of it, even when the violation was committed while the law was still in force, because a law cannot be enforced which doesn't exist. This principle would be equally good, we think, in reference to a statute *malum in se* as well as one *malum prohibitum*. The penalties attached to a law can't exist when the law itself doesn't. Tant's too plain to require any argument.

It will be perceived at a glance that the grounds both of Gen. Palmer's and of Judge Johnson's acts are the same, viz: The ratification of the Constitutional Amendment by three-fourths of the States abolishing slavery throughout the United States, and consequently in Kentucky.

Now, with great deference to the distinguished legal ability of those learned gentlemen, we are compelled to think that they have both erred in the decisions to which they have arrived.

We think the Constitutional Amendment has been adopted by twenty-seven States. The real question however is not what would be the effect of such a fact *properly ascertained* upon the legal *status* o the slaves of Kentucky as well as upon her citizens—for there could be no question about that at all—but it is how do Gen. Palmer and Judge Johnson judicially know that this amendment has been adopted?

In the case of General Palmer, the circular from his headquarters published in the Journal of Saturday, admits that "the fact has not been officially announced." Can he legally take notice of it till it is so?

The only knowledge which he or Judge Johnson has on the subject is, we suppose, what may be called public rumor. It is newsderived from telegraphic dispatches. But is this legal evidence? Has anybody sworn to it? Have any of the safeguards of the law been thrown around it? If evidence is not *legal*, it is just no evidence at all.

On Saturday morning last, a dispatch appeared in the city papers stating that the President had received a dispatch from J. J. Johnson, Provisional Governor of Georgia, declaring that the Legislature of that State had adopted the amendment, and that State makes the twenty-seventh, *according to public rumor*, which in this case means current news through the papers of the day.

Now, suppose the telegraphic reporters should be sworn—and they have not been—as to the genuineness of the dispatch they received in this particular instance, and suppose it should be found all straight, would or could this have any effect as to the action of the other twenty six States? Is it not notorious that the telegraph is unreliable, and that what it says one day is frequently contradicted the next or a few days afterward?

In ordinary legislation, no proclamation as to the passage of a law is necessary. Publication, even, of the laws, is not essential to their binding force or the obligation of persons to obey them. Ignorance of the law excuseth no man, is an old maxim.

But no one will contend that a change in the Constitution of the United States, whereby the laws and citizens of Kentucky are affected, is analogous to the passage of a law by the Legislature of the State. A change in the organic law of the land is not an act of ordinary legislation, and the people are not bound to know it, as in ordinary cases, until it has been made known to them by the Government of the United States in some official manner. In monarchical governments, even, the people are not bound to take notice of edicts till they are promulgated. The contrary idea would be outrageous. And is a republican government more unreasonable and oppressive than a despotic one?

The Secretary of State, a few days since, sent a letter to the Governor of Iowa, inquiring whether that State had adopted the Constitutional Amendment, stating as his reason for making the inquiry that *it would be incumbent upon him to make an official announcement to the country of the final adoption of the Constitutional Amendment* when that should be effected. He stated that he had official knowledge of the adoption of the amendment only from eighteen States, thus clearly not accepting public rumor as official, much less *judicial*, knowledge. We must express our astonishment that any Judge should accept such public rumor as a basis for a judicial decision; in other words, that he should adopt a telegraphic dispatch, not sworn to, from nobody knows whom to nobody knows whom, as evidence in a court of justice. We dare not allow the assumption of such a principle to pass without protest. We must not strain the law to make a point or subserve a temporary purpose. We may say with Portia in the Merchant of Venice:

> 'Twill be recorded for a precedent;
> And many an error, by the same example,
> Will rush into the State. It cannot be.

It would introduce more disorders into the State than any good which might be secured temporarily could ever compensate for. We must stand by the law. There is no other safety.

The Constitution has been amended at various times, and in all cases, if we mistake not, the amendments have been made known to the country by official acts of the Government, and were not considered as parts of the Constitution until that was done.

There were ten amendments proposed during the first session of the first Congress in 1789. In May of the next year Mr. Steel moved the appointment of a committee to report upon the decisions of the several States upon the amendments which had been proposed to them. The committee reported that some of the amendments had been adopted by some of the States in toto, by others in part, by some upon certain conditions, etc. Finally, on the 15th of December, 1791, it was declared that the amendments had been adopted by the constitutional number of States, and were therefore parts of the Constitution.

The eleventh amendment was proposed March 5, 1794, and was declared adopted by *the President of the United States in a special message to both Houses of Congress*, dated January 8, 1798, nearly four years from the time it was proposed.

The twelfth and last amendment, before the present one, was proposed Dec. 12, 1803, and was declared adopted by a public notice from the Secretary of State, dated September 25, 1804.

The first ten amendments were declared adopted by Congress, the eleventh by the President in a special message to Congress, and the twelfth by the Secretary of State. In every instance of amendments the ratification has been officially announced by the authority of the United States; and we challenge either General Palmer or Judge Johnson to cite a single instance wherein any amendment to the Constitution was ever recognized as binding upon the States, or citizens of the States, or of the United States, before its ratification was publicly announced by a department, or some officer of a department of the General Government.

In writing thus, we disclaim any feelings of opposition or unkindness to Gen. Palmer or Judge Johnson. We have no such feelings to [illegible] as gentlemen whom we [illegible] and Louisville can boast of having a little the fastest ones now alive and kicking. Our General and Circuit Judge are not only fully up with the times, but considerably ahead of them. Andrew Johnson and W. H Seward, not to mention Congress and the outside barbarians, will be not a little astonished to learn from Louisville that the Constitutional Amendment has already become a part of the organic law of the land, legally and "judicially" recognized as such by the commander of our department and a high civil functionary, who haven't so much as said to his Excellency, the President, or his Secretary, by your leave! They took telegraphic dispatches for legal evidence and the telegraphic dispatches pay them back deftly and beautifully. We felicitate and congratulate them upon the unique triumph they have achieved. Why, the radicals are nowhere in comparison with our General and our Judge. It takes Louisville to leave the world of mankind in the rear. The radicals will, no doubt, rub their eyes in doubt whether they are awake or asleep. That telegraphic dispatches, without any authentication, can be received and recognized by the courts as judicial evidence, and cases decided *wholly* upon such evidence, will be news to the legal world, and as startling as new. It will mark a new era in jurisprudence. It shows that legal science, despite the jeers of fast fellows, is capable of keeping pace, *pari passu*, with progress in other departments of knowledge and humanity.

The Circuit Court has adjourned *sine die*. Certainly it ought to adjourn and *die* after such an exploit as that which it performed in the case of the State against General Palmer. No court could afford to live long after such an effort. It would be enough to kill any court if it had as many lives as a cat.

What, now, will Gen. Palmer do? Inasmuch as he confesses he has no "official" knowledge on he subject of the final ratification of the amendment, but has acted upon public rumor or telegraphic dispatches, and as these now inform him that the Department of State has received official information of the ratification of the amendment from only twenty-three States, and telegraphic from only three more, making in all but twenty-six, one less than the number required to make the amendment final, he is bound to act upon the information so received, and withdraw his "Circular No. 6," leaving all matters to which it related exactly where they were before that circular was issued. To be sure, a few weeks or at most a few months will set the whole question definitely and forever at rest. But in the mean time, General Palmer has no right to anticipate it, and to square his acts by such anticipations. The rights and even liberties of citizens may be, may certainly will be, and are now affected by the facts of the case.

From the historical facts in reference to amendments to the Constitution which we gave yesterday, no man of ordinary intelligence can doubt as to the fact that the Constitutional Amendment abolishing slavery throughout the United States has not yet become a part of the organic law of the land, and is not yet, therefore, binding upon the citizens of this or any other State, *and will not be* until it is so declared in some official manner by the Government, or some proper representative of it at Washington. Until this is done, neither the courts nor any military officers can take any knowledge of it, or legally attempt in any manner to enforce it. If they do so, their acts will be sheer usurpations, neither more nor less, and they will be responsible accordingly.

It is known pretty extensively that we are in favor of this amendment to the Constitution, that we have advocated it with all our power in order to put the vexed question of slavery agitation, which has so long and so bitterly cursed the country, forever at rest; but we strongly protest against any unauthorized assumptions as to its success before that has been announced by the Government or any acts based upon such assumptions either by our courts or military authorities. Such assumptions have no warrant in law or in the spirit of our institutions. They are dangerous innovations, and jeopard public liberty; and are besides wholly unnecessary. There is no peculiar emergency, not heretofore existing, to call, or to give the least pretext of excuse, for the exercise of such arbitrary and extra judicial powers. Such attempts should be sternly met and rebuked. We arraign them as flagrant and high-handed assaults upon the liberties of the country, the more inexcusable in consequence of the entire absence of everything like what is usually put forth in justification of arbitrary power—necessity.

TRIAL OF JAMES HARVEY WELLS.—The trial of James Harvey Wells, alias William Henry, was commenced before the Military Commission in this city yesterday. He is charged with murder and guerrillaism. Under the charge of murder, Wells is accused of killing a Mr. Hale, of Trimble county, on the 1st of April, 1863, and a negro man named Ned Gray at or about the same time. He is also charged with shooting, with intent to kill, Mr. G. D. Dicken, on the 15th of August last. The house of Mr Dicken was visited by Wells and others on the 14th of August, when they stole a horse from the premises, and the party being hotly pursued Wells took refuge in a barn loft near by. He was besieged the next day by Mr. Dicken and some of his friends, and Wells fired into the party, wounding Mr. D. so that his left arm was pulsed. The acts of guerrillaism for which Wells is to be tried have been committed since the termination of the war. The accused is defended by General W. T. Ward and Colonel G. C. Wharton. Major-General Hartranft is President of the Commission. The case will be continued this morning.

LIVES LOST BY THE REBELLION.—The War Department computes the number of deaths in the Union armies since the commencement of the war at 350,000, and of the Southern soldiers at 225,000, making at least 525,000 lives that have been lost, a part of the costly price paid for the defense of the nation's life. At Gettysburg, 28,000 Union soldiers were killed, wounded, or taken prisoners—our greatest loss during one campaign. Gen. Grant's losses, from the time he crossed the Rapid Ann until Lee's surrender, were about 90,000. Great as were our losses, they were far below those incurred in European wars, owing to our superior medical and sanitary arrangements, and the care of the Government for its troops.

☞ Intelligence has been received at the Freedmen's Bureau that a certain Judge in Anne Arundel county, Md., recently sentenced a colored woman to be sold into slavery for the term of two years. A copy of the emancipation proclamation will doubtless be sent to the benighted Judge for his guidance in the trial and sentence of freedmen.

☞ Accounts say that the negroes are doing very well in some parts of the South, and very ill in others. There's a difference in niggers.

### OUR FRANKFORT CORRESPONDENCE.

FRANKFORT, December 9, 1865.

*To the Editors of the Louisville Journal:*

In the Senate this morning, in the case of Col. S. F. Lowe vs. Dr. Dupuy, (Contested election), on the motion to refer the report of the Board, and the accompanying documents in the case, to the Committee on Privileges and Elections, Mr. Prall, of Bourbon county, made the following inquiry, preparatory to the motion, which was followed by other speeches of interest:

SPEECH OF SENATOR PRALL.

"Three or four days ago, when the motion was made in respect to other election cases, I took occasion to offer an amendment to that motion, by which I proposed to extend the range and scope of inquiry which it was proposed to submit them to, deeming it just that, if these cases were to be referred, the inquiry should embrace all the cases which could or might be found by the committee in the same category. I took occasion to announce at that time my doubt as to whether that committee of the Senate in any way could pass upon any testimony upon this question. The question was novel to us all; we were somewhat at sea, and without precedent to direct us. I certainly had not had opportunity given me to examine the question as I have subsequently done. I considered that the question might come up upon the action of that committee, and made no resistance to the motion further than the amendment which was intended to extend the scope of that inquiry. I am satisfied, from a further examination of this subject, that the Senate, whenever a report of the Board has come in, either dismissing the case or declaring a lack of jurisdiction, or in any way disposing of it, that the Senate has exhausted its powers over the case in the manner in which it is permitted to act upon this question, and I ask the candid consideration of the Senate to the reasons for this conclusion. Section 20, article 2d, of the Constitution: 'Each House of the General Assembly shall judge of the qualifications, elections, and returns of its members; but a contested election shall be determined in such manner as shall be directed by law.'

"There are three subjects of inquiry then in relation to membership in the respective Houses, as to which each House has authority to inquire. One of them is the qualifications which each member is of the requisite age, and is a resident of his district, or whether the member has been a sheriff and has not had his quietus for the requisite time, whatever may be the different qualifications. These are other inquiries as to the return whether they show prima facie that the election is made according to law. These are the two inquiries as to which the authority of the House has any jurisdiction. It may be that there two subjects of inquiry in any way it chooses. But there is a third and last inquiry, and that inquiry, in the express language set forth, is taken from the House and submitted to the law-maker which is the whole—that contested elections shall be determined according to law. Now, what is a contested election? I inquire. Is it only the case where the defeated candidate comes up and insists that he was elected? I think not. It was not contemplated by the law or Constitution that so narrow a limitation as this should be given. Has not the constituency an interest? Has not everybody an interest in the purity of elections? If a man comes up from my district purporting to have been elected to a seat in the General Assembly, and the defeated candidate does not choose to raise the question, have not I or you or any one of the constituents a right to go before another court, is not a contested election any issue before the General Assembly or the particular House upon which the decision depends, which contests the legality or fairness of the election? The question whether it was held at the proper voting place in accordance with law, and whether it was free and unhammered, do not all these questions come within the scope of the term contested election? I submit it to the candor of the Senator if at the outset of these cases it was not the judgment of every Senator that there was no other way of reaching them except by the appointment of boards under the law. It was all remitted to the law. It was supposed by the framers of the Constitution that the legislators would provide a law ample enough to embrace every case, and there is no way to reach them except under the law. Now the difficulty which confronts gentlemen here is that we have no law that is sufficiently comprehensive enough to embrace the particular cases in question. Is that our fault? must we not follow the Constitution? can we go outside the Constitution? if there are subjects to contest which, at present, the law has made no provision for, must not you amend the law before you can proceed? It seems to me that the proposition is too clear for dispute. We have not created the board which the law provides should be appointed; the law has limited the power of the board only to act on particular subjects. But it does not alter the fact that our authority is limited to the law. We cannot proceed outside of it. The board is sworn, and that board must determine it by the law."

Mr. Cochran replied as follows:

"I think that the honorable Senator has not taken the proper view of the subject now under the consideration of this House. I am willing to admit that these cases were not properly under the jurisdiction of the boards, for the reason that the statute provides only for cases where two contestants contest the same seat. The statute under which that board was raised makes it the duty of the board to which the subject may be referred to report upon the case. That is simply a decision by the board between contestants for seats. This is not a case of that kind, but when the election is contended by the contestant not to have been a free election, I call the attention of the Senator to the fact that the notice does not claim that the seat belongs to the contestant—he knows himself that he did not receive a majority of the votes. It is very likely that the member holding the seat received a majority of the qualified voters. The ground of which he complains is that the qualified voters were not suffered to vote; that bayonets and powder prevented the qualified voters of the district from expressing their choice. Now, sir, I cannot see that the powers of the Senate have been exhausted. The Constitution declares that all elections shall be free. Now the contest has not been as to the qualifications of members or the returns. We want to know whether there was a free and fair election—we want to know whether the people did have a chance to select the men of their choice. In the language of the Constitution, the Senate has full power to investigate the right of any member on the floor to his seat, and to know whether he was duly elected.

"The argument of the Senator from Bourbon resolves itself into this, that if a party makes a mistake there is no remedy, that he cannot seek redress in the proper form. Now, the Senator is a lawyer—a distinguished lawyer—his argument is that if a party should seek redress in the Federal court, and that court should not have jurisdiction, that he could not seek redress in any other court; or if he should present a petition to the Circuit Court, and it should appear that he was not entitled to redress in that court, he could not go before another court, it appears to my mind is the conclusion of the Senator from Bourbon. The Senate has made no mistake; it has provided boards and referred the various cases of contested elections to those boards, and the board in this case has come to the conclusion that it has no jurisdiction in the case. The Senate provides in the twentieth section that each House shall judge of the qualification and returns of its members."

Mr. Cochran was followed by Mr. Botts, and Mr. Prall replied, who was again responded to by Messrs. Dudley and Helm, the latter making quite an interesting speech. The time of the closing of the debate does not allow of my sending any other speech this afternoon—will forward the others the first opportunity.

C. C.

TUESDAY, DECEMBER 12, 1865.

A REFRESHING COMMENTARY.—Simultaneously with the appearance of our remarks yesterday morning upon the extraordinary positions assumed by General Palmer and Judge Johnson in reference to the Constitutional Amendment, came the following dispatches from Washington in relation to the same subject:

Official information has been received at the Department of State of the adoption of the amendment to the Constitution forever the subject of slavery by the Legislatures of the States of Illinois, Rhode Island, Michigan, Massachusetts, Ohio, Missouri, Maine, Pennsylvania, Wisconsin, Nevada, Minnesota Kansas, New York, Connecticut, Western Virginia, New Hampshire, Maryland, Vermont, Louisiana, Arkansas, Tennessee, South Carolina, and Virginia. These make twenty-three States.

Telegraphic information has been received of the adoption of the amendment by the three States of North Carolina, Georgia, and Alabama.

No information of any kind has been received of its adoption or rejection by Indiana, Iowa, California, Oregon, Florida, Mississippi, or Texas. Official intelligence of its rejection by the Legislatures of Kentucky, Delaware, and New Jersey has also been received. Immediately after the passage of the resolutions by Congress an attested copy of the amendment was forwarded by the Secretary of State to the Governor of each State, and some time ago the Secretary also sent a circular to the Governors reminding them of the duty imposed upon him by the act of Congress of the 20th of April, 1818, to give the public notice when the Amendment shall have been ratified by the requisite number of States. From this it will be seen how desirable it is that the States which have not decided upon the matter should lose no time in doing so.

We call that a remarkably refreshing commentary upon Gen. Palmer's "Circular No. 6" and Judge Johnson. We have no such confidence in [illegible] as gentlemen whom we [illegible] and Louisville can boast of having a little the fastest ones now alive and kicking. Our General and Circuit Judge are not only fully up with the times, but considerably ahead of them. Andrew Johnson and W. H Seward, not to mention Congress and the outside barbarians, will be not a little astonished to learn from Louisville that the Constitutional Amendment has already become a part of the organic law of the land, legally and "judicially" recognized as such by the commander of our department and a high civil functionary, who haven't so much as said to his Excellency, the President, or his Secretary, by your leave! They took telegraphic dispatches for legal evidence and the telegraphic dispatches pay them back deftly and beautifully. We felicitate and congratulate them upon the unique triumph they have achieved. Why, the radicals are nowhere in comparison with our General and our Judge. It takes Louisville to leave the world of mankind in the rear. The radicals will, no doubt, rub their eyes in doubt whether they are awake or asleep. That telegraphic dispatches, without any authentication, can be received and recognized by the courts as judicial evidence, and cases decided *wholly* upon such evidence, will be news to the legal world, and as startling as new. It will mark a new era in jurisprudence. It shows that legal science, despite the jeers of fast fellows, is capable of keeping pace, *pari passu*, with progress in other departments of knowledge and humanity.

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PARAGRAPHS—CHIEFLY ORIGINAL.

A Boston man has invented a new pocket that he calls "thief-proof." Our people need some change in their pockets.

If you buy a crying baby's silence by yielding to its wishes, you will find the cunning little huckster besetting you continually for similar bargains.

Where a young girl has too many boys about her, the indication is like that of a buoy off a harbor—shallow water here.

An old man with an aquiline nose wears spectacles on his own hook.

If you discharge a jest at a friend or a gun at a woodcock, be sure that it isn't out of season.

The object of nearly all great talkers seems to be to excite their own admiration—which they have no difficulty in doing.

Ladies, fret not over small losses. Otherwise you will soon have that great loss, the loss of beauty, to fret over.

Whenever you take a drink, be sure you keep your nose above *water*.

Every hearth should have its cricket.

Weeding a garden is a safer but not so pleasant a business as unweeding a widow.

He who pokes his nose everywhere will sometimes poke it between a thumb and forefinger.

The women don't feel as the Southern Confederacy did; they don't want to be "let alone."

A hunter in Colorado killed six fawns in one day and sold them for a handsome sum. There was "the thrift that follows fawning."

The fellow who borrows your watch for a day and never returns it has no [illegible]

[illegible] pursuing the golden mean between extremes, and everybody feels that this is the true course, exactly what the great interests of the country demand in the present posture of affairs.

It is no time now for political crotchets and hair-splitting, for the dreamers of an impossible Utopia. We have had war and distraction. We want peace, thorough, profound, and universal, throughout all our borders, and a complete and heartfelt unity, which shall embrace every section and State of our widespread domain. The exigency therefore calls for the exhibition of hard sense and practical statesmanship. We want the shortest and best way out of the woods. The great fact of the state of the country can be crowded into a nutshell. The Southern armies have laid down their arms. The people of the South have declared that they return to their allegiance. The various States have solemnly abolished slavery. They declare they will never again try to foster the institution. It is forever gone. The citizens swear they will henceforth be loyal citizens, true to the United States. Taking it for granted that they will receive credit for common sense and common honesty, that their allegiance will be received and that the people of the North as well as the Government wish the Union restored, they have, pursuant to the recommendations of the President and his authorized agents, held conventions, changed their State constitutions to suit the altered condition of things, and elected representatives to the National Congress. Well, to what purpose has all this been done? Is it all meaningless? Is it all merely for amusement? Is it meant to be a parody, a caricature upon government, political irony and practical joking? Surely that isn't the feast to which the Southern people were invited. That can't conduce to harmony and brotherhood and sisterhood. That can't bury the old tomahawk of sectionalism. That can't give strength and dignity and friendship to the country. It is not reasonable. It is not frank or honest. It is only to insult the vanquished to tell them that if they will do certain things certain other things will follow, and then, when the vanquished have done their part of the business, to stop short and refuse to perform the other part of the contract. It isn't fair, we say, or honest. If the Southern States are to be considered out of the Union and in the condition of conquered provinces, to be denied all right of self-government, after swearing allegiance to the government of the Union upon the ground that they are not worthy of being trusted, what did you tell them to go through all these mockery ceremonies for? Besides, when, under the peculiar regime proposed by Sumner and Stevens, when will the Southern States and people be worthy of trust? Distrust does not usually produce confidence. Matters will be rather aggravated than improved by the mere lapse of time upon the system of tactics which the ultraists prescribe. Time works wonders to be sure, but it is only through the use of means that it does so. Mere time has not mollified Ireland. Poland has been as uneasy under Russian rule for the last ten years as it ever was. Attempts to humiliate needlessly the Anglo-Saxons of the South, men accustomed to Magna Charta and the rights of citizenship, to crush them into the earth and make them so many Parias, is not the way to win them back to a thorough and fiery loyalty, not the way to solidify the Union and to pour the sunlight of fraternity and mutual respects over the thousand battle-fields of the Republic, from which the blood which sectionalism has spilt has scarcely yet dried off.

In the meantime, the development of the resources of the country must be greatly retarded by the course the ultraists advocate. The energies of the South must necessarily be cramped. Enfeebness will take the place of that generous glow of feeling which we hope to witness. Violence and vengeance must embrute communities, and large numbers of the military must be kept in all the Southern States. And for how long? Aye, under the plan of distrust and disfranchisement in question, *how long* will the system have to be kept up? And at what cost? And what corruptions will creep in and fester foully! Recollect, too, over what an immense area this system is to extend. Great Britain and France both are scarcely larger than the single State of Texas.

We are told that some of the States have not elected the right kind of men. Is that any reason for refusing admission to such as are of the right kind? Will it be contended that no man who has been elected to Congress from the South is worthy of a seat in that body?

The ultraist programme is to admit no man from the Southern States, no matter how loyal and how strong a Union man he is or has been. That programme would keep out Andrew Johnson himself, if he were a representative and hailed from a Southern State. It would keep out Judge Hall of Georgia, who received eighteen thousand votes for Governor in 1863 because he was known to be opposed to the Confederacy. It would keep out John M. Botts of Virginia, and Robert Ridgeway. It would exclude the venerable Jacob Barker of Louisiana, who did all that he could to keep Louisiana from seceding and who has always been a Union man. We repeat, the ultraist programme—which in effect endorses the validity of secession—will keep out of Congress every man from the South, no matter what his position and antecedents may have been. It is a programme to which Andrew Johnson is opposed, and we think nine-tenths of the best men in the country likewise.

THE GUERRILLAS.—One-armed Berry and King White, who were captured on Friday last by Major Wilson's detachment of mounted infantry, will be tried before the Military Commission, of which Major-General Hartranft is President and Colonel Wm. H. Coyl Judge Advocate. The date of trial has not yet been set apart.

☞ Several of the papers which publish a list of the States ratifying the Constitutional Amendment include Iowa as having adopted it on the 30th of June. This is a mistake. The Legislature of that State was not in session at that time. It will meet in a few weeks and will then, as a matter of course, adopt the amendment.

☞ There is an excellent paper in New Orleans calling itself "The True Delta." We suppose it would have people understand that the alluvial tract upon which New Orleans is built is the bogus delta.

☞ A friend has sent us from Utah a violent speech of Brigham Young against the United States. Brigham is as salty as his own great Lake.

☞ Lord Palmerston wanted war before his death. We hope he has been able to "stand fire" since.

WEDNESDAY, DECEMBER 13, 1865.

☞ "It is thought," says the Boston Post, "the Southern members of Congress will be admitted after Sumner, Stevens, Ashley, and other unforgiving leaders in Congress have vented their spleen in debate of three or four months duration, during which the President, it is said, will not be heard. We reckon he can stand the contest as well as the radicals."

The President thrown upon Congress the responsibility of thwarting, if it shall be thwarted, the great work of restoration which he has undertaken and has so far so manfully carried out. Let the opponents of peace in Congress throw themselves, if they dare, before the triumphal chariot of the Union and shout, Secession and war! Let them perform their unseemly antics and ape by every grotesque device to prolong the evil days of discord. The country looks on coolly and will take due notice of their acts. Let them go to the full length of their tether. Let their Jacobinism have full play. It will become all the more hateful and evaporate the sooner.

The President's message is simply a reflex of his policy as exemplified in his acts. It has been received by the country with extraordinary favor. Scarcely any President's message since the days of Washington has produced such an outburst of approval from every portion of the country. The popular heart of the Republic throbs in unison with its noble and magnanimous spirit, with its conciliatory yet comprehensive views [illegible] and [illegible] common [illegible] Presidents [illegible] Lives [illegible]

The gay, humorous, and high spirits of the man, however, did not wholly desert him even on the most serious occasions. Nothing was more common than to hear him humming a song during an engagement, and I was reading the other day somewhere a soldier's description of a fight on Culpepper, at which time the effect was produced upon the infantry by the appearance of Stuart riding in front of them, singing gaily and cheering them on. At Chancellorsville, when Jackson fell, he was called to command the corps, and led the assault in person on the next morning. An eye witness says that he could not get rid of the idea that Henry of Navarre had come back, except that Stuart's white plume was higher than Henry's. Wherever he was in front, and the men "followed the feather." At the risk, however, of spoiling this romantic picture, and passing from the sublime to what some persons may call the ridiculous, an additional fact may be related, namely: That Gen. Stuart, attacking with Jackson's veteran corps, and carrying line after line of works, moved at the head of his men, singing "Old Joe Hooker, will you come out of the wilderness?"

There was nothing notable in Stuart's habits except his abstinence from all stimulants, coffee excepted. He never used spirits in any form, nor touched tobacco, though it seemed a matter of indifference to him how densely his tent was filled with it. On the day he fell, and this beverage produced a marked effect on him mentally and physically. Under its influence he brightened up and grew mirthful as other men do from wine. He would call for it as his hour arrived, and said that so he had "coffee and candles" he was satisfied. At his broad, paper-covered desk, in the long winter evenings, he busied himself not with "official" work only. A favorite amusement with him was the composition of parodies in verse, some of them exceedingly good. He was not a great reader. He was fonder of society, of telling stories, jesting, and whiling away time with his staff, which by could be nearer than Stuart at such moments, and he dearly loved a practical joke.

If he could not have that he would still find some jest at the expense of every one, which he would press with rough cavalry humor, delighted if it worried the "victim." It was "give and take" on such occasions. He expected you to strike in return, and, though sometimes sorely "hit," he never remembered it for two moments. Indeed, I think he liked a rough adversary, as he preferred a hearty, loud, offhand, unceremonious address. His horror was the air of the *petit maitre*, and he ridiculed it unmercifully. He evidently liked the rush, the spurn, the rattle of the sabre, and the sound of hoarse, rough voices. Lounging in his tent or lying on the grass, he liked to play with his hounds—two handsome puppies, one of which he brought with him before him on his saddle in falling back from Culpepper—to play marbles, pitch quoits, or fence with anything he could pick up. So passed the hours, with song, laughter, fun, and frolic, and a rail want of "dignity"—at least in the estimation of those dumbfounded civilians who came expecting to see a grave, solemn, awful "Major General commanding."

These familiar details are noted down for the benefit of those readers who prefer homely sketches to philosophic generalizations upon character. It is hoped that they will not appear frivolous or trifling; for such was a man whose career filled a great space in the public eye.

The analysis of military movements or discussion of military endowments is here intended; but it is almost impossible to separate Stuart, the man, from Stuart, the soldier. He was always ready for a "fight or a frolic," and gifted by nature with an enormous animal physique, which enabled him to defy fatigue, whether produced by marching night and day, or dancing until dawn. Ambitious, fond of glory, and sensitive to blame or praise, he was yet endowed with a bold and independent spirit which enabled him to defy all enemies. He was warm-hearted, and never did man love friends more dearly. There was little excitement about the gay young cavalier—in his manner, that is to say—but I believe a kinder heart never existed.

I terminate my sketch of a remarkable man by adding that Stuart always seemed to be a perfect embodiment of the traits generally attributed to the English cavaliers. There was in him a rollicking love of frolic, a gallantry toward ladies, a fondness for bright colors, brilliant spectacles, and gay adventure, which made him resemble strongly the class of men who followed the fortunes of Charles I., and at Naseby died rather than retreat or surrender. Stuart's nerve was of stern stuff, and under all that laughter there was a soul that no peril could touch. That bright blue eye looked into the very face of death without a quiver of the lid, and dared the worst. A man more absolutely indifferent to danger, I believe, never lived; and, like some chevalier of olden days, he rode to battle with his lady's glove upon his helm, humming his song, and determined to conquer or fall.

He fell at Yellow Tavern in May, 1864, leading a desperate assault, which alone saved Richmond, and on Hollywood Hill, above the capital which he died defending, the good knight sleeps his last sleep. No enemy can reach him there—detraction's voice falls cold—

> "Malice domestic, foreign levy, nothing
> Can touch him further."

Let the penny trumpets of small poets and bought eulogists blow shrill in praise of those enormous personages who came after Stuart fell, to ride rough-shod over his weakened and decimated cavalry—he can afford to wait until the angust lips of history are opened. No braver heart ever beat in human breast. No truer soldier ever bore the blood-red Southern flag on victorious fields. He "died game," as he said he would. Peace to his ashes.

J. E. C.

### THE NAVY DEPARTMENT.

ABSTRACT OF THE SECRETARY'S REPORT.

The official report of the Hon Gide

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# WEEKLY JOURNAL.

THURSDAY, DECEMBER 14, 1865.

REPEAL OF THE EXPATRIATION LAW. — It gives us much pleasure to record the repeal of the Expatriation law by both Houses of the Kentucky Legislature. The vote was overwhelmingly in favor of the repeal in both Houses. There can be no doubt that this action of the Legislature correctly represents the public sentiment of the State.

The war is over, and whatever tends to keep alive the recollection of the divisions and heartburnings which it caused should be buried so many fathoms beneath the dead sea of forgetfulness that it can never be sounded by line or plummet or reached by an earthquake. There are some things that should not be forgotten, that should be kept forever green in our memories, and live perpetually in our heart of hearts; and this includes all that is beautiful and good, all that is noble and great and truthful, all that purifies and exalts and makes us better men and better patriots; but surely we should not strive to remember that which rouses into fury the dark passions of our nature. We should not wish to prolong the remnants and accessories of terrible war into the reign of sweet and gentle peace, or keep up class distinctions between equals when the causes which provoked such distinctions have ceased to exist. With the cause, let the effects cease. There must be forgetfulness of the past, and forgiveness among men and citizens, if we expect or wish for cordiality and restored harmony in the State and throughout the country. If we wish for the reign of a universal brotherhood, we must use the means to bring it about. We must divest ourselves of our animosities; we must "conquer our prejudices." If we cannot forgive, how do we expect to be forgiven? For those men who refuse to obey the laws of the State and of the United States, who still persist in disturbing the peace of society and doing violence to the community, we ask the sternest and prompt est penalties, and so far as Kentucky is concerned, we trust that the Legislature will devise ample and stringent measures to bring such scoundrels to justice. The best interests of the State require it, no less than common justice and common decency, a regard for the ordinary humanities of life and civilization. But for those citizens who were led away by the excitements of the hour, who honestly thought they were acting rightly—and we suppose that this much will be granted to many—who observed all the rules of civilized warfare, who, when the armies of the Confederacy surrendered, promptly returned to their allegiance as citizens of the United States, who have conducted themselves in a loyal and orderly manner since, and who intend henceforth to do nothing to forfeit the confidence which their conduct inspires—for such men, we say, there should be restoration of civil rights and the great mantle of charitableness, esteem, and oblivionness thrown over the past, if we really desire what we have been contending for, viz: One country and one destiny, the Union of our fathers indivisible, the Constitution and liberty forever and ever.

Our true course is, as it seems to us, to adopt a noble, just, and generous policy. It is the only basis that will last, the only platform that will defy scathe less the rude blasts of time and change. It is the only right course, and the right course is always the best one, the only one that comports with the dignity and safety of a great and free people. We must trust each other. Confidence begets confidence.

We don't suppose that the craziest man in the country fears another revolt, unless we outrage justice and the commonest rights of man; and as to *punishment*, of which we hear so much, surely our Southern people have suffered enough to satisfy, it would seem, devils incarnate. Those who talk of punishing the Southern people yet more, do not surely understand what they have already suffered, do not realize how terrible has been the baptism of fire and flood and poverty and death which the Southern people have passed through. If they erred, as they certainly did, dreadfully have they stoned for their errors; and the most obdurate, it seems to us, may well cry, Enough! Let the hand of the destroyer be stald.

The Legislature of Kentucky has done a magnanimous act in repealing the expatriation law, and one which will redound, we cannot help thinking, to the harmony and prosperity of our State. It has set a good example which we would fain hope will be followed elsewhere. It is an exhibition of the right spirit. It is acting upon the principle that the war is ended and the Union saved; and that the latter was meant to be, as it should and may be, perpetual.

*Let us have Peace!*

LAMARTINE ON THE RAMPAGE.—Our telegraph column reports that the celebrated Lamartine, supposed hitherto to have been a friend of progress and of liberty, has written an elaborate article for one of the French monthlies on the policy by which Maximilian was placed on a throne in Mexico. The imaginative poet, politician, and philosopher says it was a "splendid conception—vast as the ocean." If the telegraph makes a true representation of the gist of that article, says the Cincinnati Times, Lamartine seems to have been masterly imprudent in openly declaring what was suspected in this country, that the object of France, with the connivance of other European powers, was to get a position in America from which the "usurpation" of the United States might be resisted! "Europe had a right to take this position. France takes the initiation!"

A question arises, whether Lamartine believes in usurpation direct, palpable, and flagrant, as a corrective of a possible conjectural usurpation by another power! Strange statesmanship!

Another question is, whether Lamartine believes in cowardly taking such a "position" and making such a usurpation when the power that is chiefly interested is crippled by intestine war! Strange conception of what is manly and courageous!

The last we heard of Lamartine, before this report, he was engaged in spreading his *blanc mange* over his face instead of putting it into his mouth.

His "splendid conception" about Maximilian is a performance fully equal to his *blanc mange* operations.

We guess the poet and traveler is becoming crazy sure enough, or it may be that insanuch as he has been "hard up" for sometime past as to the needful, Nap. has agreed to pay him liberally to write up the Max-Mexican *fiasco*. It will be in vain however. Lamartine has imagination and can describe a glorious Syrian beauty to perfection, but his is not the pen to write up bogus empires. It would take many thousand Lamartines all armed with their sharpest pens to protect Maximilian from the natives of Mexico and make them contented with a scion of Austrian despotism forced upon them by French bayonets fighting under the black flag. "Splendid" indeed!

Lamartine should make another tour to Syria and stay there if he has no more sense than to indulge in such twaddle.

☞Old Thaddeus Stevens, of the House of Representatives, says he "doesn't know Tennessee." Then he should take to the study of geography. He will find Tennesse to be considerable of a place. One end of it butts up against the Mississippi river—did Thaddeus ever hear of that stream?—and was once the dwelling place of one Andrew Jackson, an old fellow who said that the "Federal Union must be preserved."

Tennessee is the home of Andrew Johnson—does Stevens know him?—and if Tennessee isn't in the Union, neither is Andrew Johnson, and the Pennsylvania radical ought forthwith to pitch him out of the Presidential chair and put into it a citizen of the United States. How comes it that so virtuous and enlightened a patriot should have supported for the Vice-Presidency a man from a foreign State, as Tennessee is if not in the Union and not *known* to the Legislative Department of the Government? Why does Stevens sit quiet and see a *foreigner* from a *foreign* State usurp the functions of the Presidency? If Thaddeus doesn't "know Tennessee," he shouldn't "know" Andrew Johnson, for he is a citizen of Tennessee. What monstrosities the unsanctified radicals are exhibiting!

☞The people of Minnesota have voted dow negro suffrage by a majority of 2,500; Wisconsin ditto by a majority of 8,000; Connecticut ditto by a majority of 6,000; Colorado by a vote of ten to one. The only State which has sustained negro suffrage is Iowa. He away to Iowa, niggers!

THE SOUTHERN PACIFIC RAILROAD—IMPORTANT INFORMATION TO STOCKHOLDERS.—The following important circular has been issued to the stockholders in the Southern Pacific railroad by the President of the road. It will attract the attention of all who are interested in that great enterprise. At present the stockholders in the road can act as a corporation only through the Texas directors, in whose possession the road now is.

The road, franchises, and property were sold in September, 1861. Under the reorganization after the sale of the road there is admitted now a stock interest of about $550,000. The road and rolling stock are valued at $1,000,000. There is a debt of $150,000 due from the road to the State of Texas (first mortgage), and about $50 000 floating debt. At present about eleven miles of road are needed to construct the road to Shreveport.

We are glad to observe that the interests of the Southern Pacific road are being introduced to the consideration of Congress. On Monday last, in the Senate, Mr. Brown, of Missouri, presented a bill to grant land for aiding the construction of the road through Arkansas and Missouri. The bill was referred to the Committee on the Pacific Railroad, and we hope it will at an early date meet the approval of both branches of Congress.

The following is the important circular of President Waskom:

OFFICE S. P. R. R. Co., }
MARSHALL, TEXAS, Oct. 28, 1865.}

*The Stockholders of the Southern Pacific R. R. Co:*

The condition of the country for the last five years has precluded the possibility of communication between many of you and the office of this company. One event, however, transpired at a sufficiently remote date to have come to your knowledge. It was the sale of the road, franchises, and property belonging to the corporation, on the 53 day of September, 1861, by the Sheriff of Harrison county, under executions obtained in 1859 and '60. By virtue of that sale the stock of all was lost, and the purchasers became the company and sole owners of the road and chartered rights.

Many months previous to the sale, a policy was adopted by the company (now sold out) to meet its liabilities. On the 25th day of November, 1859, at a meeting of the stockholders, held in Louisville, a loan of fifty cents on each share of five dollars of stock was called for, and at a subsequent meeting of stockholders, held in the same city, on the 3rd day of March, 1861, a loan, or additional subscription of one dollar per share of five dollars, reduced stock, was called for.

The stockholders failed to relieve the liabilities of the company, and prevent the sale. A portion of them, however, who had promptly met these calls, desiring to maintain their interests, became the purchasers and owners of the road.

The present company was thus organized, and adopted the policy to sell out company, but reserved the right of rejecting all stock for which a valuable consideration had not been paid to the company. It is now required that all stock upon which any consolidation of stock must be made at the office of the company, in Marshall, by the 1st day of April, 1866, or be forever barred. The applications must be accompanied by the original stock certificates, by the first cent call on each share of five dollars, if not already made (the original shares undergoing a reduction of one-half), and a further payment, or additional subscription of one dollar on each share remaining after the reduction.

The following rule established by the present company will be observed in the reissue of stock:

"The capital stock of the company shall be divided into shares of one hundred dollars each, and each share of stock shall be issued at its par value."

It will thus be seen that it will require twenty shares of the five per cent stock to entitle the holder thereof to one share of stock of one hundred dollars in the present company.

J. M. WASKOM,
Pres't of S. P. R. R. Co.

MUTINY OF A NEGRO REGIMENT—DEATH OF THE COLONEL.—It was rumored in the city last evening that the Sixth United States colored cavalry had mutinied at Helena, Ark., and killed their commanding officer, Colonel Bowen. As will be remembered, this regiment belongs to General Brisben's colored brigade, and was shipped from this city about two weeks ago. We have every reason to believe the rumor well founded, and fear the particulars will prove still more revolting.

DISCHARGED FROM PRISON.—In obedience to orders from the Secretary of War, the following named persons have been released from confinement in the penitentiary at Frankfort: G. W. Nelson, 49th Indiana volunteers; John Mann, 77th company Veteran Reserve Corps; R. S. Cox, citizen; Mal. Reed, 123d U. S. colored infantry; R. Patterson, 5th U. S. colored infantry; J. S. Case, 17th Indiana volunteers; Hugh Shaw, 5th Indiana volunteers.

☞The editor of the West Virginia Sentinel publishes a piece of his own "poetry," as he calls it. He says that the Muse sometimes gets to "buzzing" about his ears. 'Tis very evident that his Muse is a mosquito.

☞A paper says that General Butler took possession of the door-plate of Mr. Yeadon, formerly editor of the Charleston Courier. Why does nobody affirm that he stole pincushions?

A lady in New York used kerosene in her stove to boil her water. She is now in heaven.

Then there must be a great many fools there.

## KENTUCKY LEGISLATURE.

FRANKFORT, Dec. 13, 1865.

SENATE.

The Senate met at ten o'clock and was opened with the usual prayer.

Mr. Grinstead asked leave to record his vote for the repeal of the expatriation law, which was granted.

Mr. Harrison—Judiciary—A bill for the benefit of Mary and Sarah Collins. Passed.

Same—A bill to repeal an act to prohibit and prevent rebellion by citizens of Kentucky and others in this State, approved October 13th, 1862, and the vote being taken on the same, was as follows:

Yeas—Messrs. Allen, Botts, Bruner, Chandler, Cleveland, Cochran, Coffey, Cooke, Dudley, Garriott, Gorin, Hammond, Harrison, Helm, Wm. Johnson, John J. Landram, McKenzie, Riffe, Stone, Swigert, C. T. Worthington, and Wright—21.

Nays—Messrs. Baker, Benton, Black, Cardwell, Chiles, Cook, Goggin, Grabam, O. P. Johnson, Lilly, J. D. Landrum, Morrow, Prall, and Wm. J. Worthington—14.

Same—A bill to amend Sec. 9, Chap. 43, of the Revised Statutes, title "Husband and Wife," requiring an oath from ministers of the Gospel before they are permitted to perform the marriage ceremony. The vote on the same was as follows:

Yeas—Messrs. Allen Botts, Bruner, Chandler, Cleveland, Cochran, Coffey, Cooke, Dudley, Garriott, Gorin, Grainger, Hammond, Harrison, Helm, Wm Johnson, Landram, McKenzie, Riffe, Stone, Swigert C. T. Worthington, J. D. Worthington and Gaddis—24.

Nays—Messrs. Baker, Benton, Black, Cardwell, Chiles, Cook, Goggin, O. P. Johnson, Lilly, Landram Morrow, and Prall—13.

Mr. Bruner, from the Committee on Revised Statutes, proposed a substitute for a bill which was adopted, for original act. and article 9 of an act to revise, amend, and reduce into one the Common School Laws of Kentucky, approved Jan. 28th, 1861. Passed.

Mr. Gorin—Judiciary—A bill concerning turnpike and plank road companies.

Same—A bill to exempt from execution or attachment a homestead. (Amended so as to secure one thousand dollars, or the defendant in case of sale of real estate.) Recommitted.

Mr. Bruner, from the Committee on Revised Statutes, to amend 68th section, 8th chapter, Code of Practice. Amended and passed.

Same—A bill to amend sub-division 6, of section 67, of the Civil Code. title "Evidence." Passed.

Mr. Cochran, from the same, a bill to repeal an act amending section 694 of the Civil Code of Practice. [The amendment requires security for costs in suits brought by persons who come within the Confederate lines to do so.] Passed.

Same—A bill to amend chapter 4, art. 1, of the Civil Code, title, "Attorneys." [Allowing a lien on any account note, or other chosen in action, which he may collect.] Passed.

HOUSE.

Mr. Young offered the following resolutions, which were ordered to be printed and referred to the Committee on Federal Relations, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, 1. That this General Assembly heartily approve the action of the said General Assembly in rejecting the proposed amendment of the Government of the United States, and believe that vote to be a finality.

2. *Resolved* That as this proposed amendment has once been acted upon by a previous General Assembly, it is the opinion of this General Assembly that it has no right or authority to consider or vote upon this measure unless it shall be again passed and proposed by Congress.

Mr. Bell offered the following resolution, which was adopted, viz:

*Resolved*, That hereafter when the usual number of private bills, reports, or other document shall be ordered to be printed by this House for the use of the General Assembly the Public Printer shall print 200 copies instead of 150.

Mr. McDowell—Revised Statutes—To repeal an act entitled "An act prohibits and prevents rebellion by citizens of Kentucky and others in this State." Passed.

Mr. Thomas—Corporations—To incorporate the Kentucky Mutual Life Insurance Company. Passed.

House bill to amend 13th article of the 27th chapter of the Revised Statutes, title "Courts." Said bill reads as follows, viz.:

Sec. 1. *Be it enacted, &c.*, That it shall be the duty of the Circuit Judge or Chancellor that may hold any court, when an action in equity or ordinary is reached on the docket of the court by a call of the docket, in which the Judge or Chancellor will not or cannot properly preside, to give place immediately to a special judge for the trial of such action, so that said action may be tried or otherwise disposed of in its turn on the docket: *Provided*, That if there should be a failure to obtain a special judge in the manner prescribed by law, the court shall stand continued until the next term, unless either party desires a change of venue; in which event, upon the motion of either party, the Judge or Chancellor shall, for the causes, upon the conditions, and in the mode now provided by law in case of change of venue, grant the change of venue to that county of an adjoining circuit most convenient for a speedy trial of the case.

Sec. 2. Should the Judge or Chancellor failure to comply with the provisions of the foregoing section shall be held to be guilty of a misdemeanor.

Sec. 3. It shall be the duty of a special or substitute judge to have the orders of court made while he presides, read over in the presence of the members of the bar in attendance, and corrected, if necessary; after which the same shall be signed by such judge; and, until so signed, such orders shall have no validity.

Sec. 4. This act shall take effect from its passage.

Mr. Bell moved to strike out the second section of the bill. Rejected.

Mr. Bush moved to amend the bill by adding to the second section the following: "And a misdemeanor and conviction thereof shall be fined at the discretion of a jury." Adopted. The bill was then passed.

Mr. Thomas moved to reconsider the vote rejecting the bill increasing the salary of Judges.

Mr. Bush moved to lay that motion on the table. Rejected. Yeas, 38; nays, 56.

The motion to reconsider was then placed in the order of the day.

The House then took up the bill to repeal an act entitled "An act to amend section 9, chapter 47, Revised Statutes, title Husband and Wife, approved August 31, 1852." [The bill repealed is the law requiring ministers and other persons to take an oath before solemnizing marriage.] Passed. Yeas, 62; nays, 32.

## OPERATIONS OF THE ARMY.

ABSTRACT OF GENERAL GRANT'S OFFICIAL REPORT—THE LAST DAYS OF THE REBELLION—THE OPERATIONS AGAINST RICHMOND, ATLANTA, AND IN THE VALLEY.

General Grant's report of the army operations while under his command as Lieutenant-General fills forty-four closely-printed pages in pamphlet. The document opens with

GEN. GRANT'S IDEA OF FIGHTING.

"From an early period in the rebellion I became impressed with the idea that active and continuous operations of all the troops that could be brought into the field, regardless of the season and weather, were necessary to a speedy termination of the war. The resources of the enemy and his numerical strength were far inferior to ours, but as an offset to this we had a vast territory, with a population hostile to the State of Texas (first mortgage), and about $50 000 floating debt. At present about eleven miles of road are needed to construct the road to Shreveport.

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MILLEDGEVILLE, GA., Dec. 12.

The Provisional Governor has sent to the Legislature the following dispatch:

WASHINGTON, Dec. 11, 1865.

*J. Johnson, Provisional Governor:*

The Governor elect will be inaugurated, which will not interfere with the Provisional Governor. You will receive instructions in a few days with regard to being relieved. Why can't you elect a Senator? I would issue no commissions to members of Congress. Leave that for the incoming Governor. We are under obligations to you for the noble, efficient, and patriotic manner in which you have discharged the duties of Provisional Governor, and you will be gratified by the Government.

ANDREW JOHNSON, President.

A committee has been appointed to wait upon Governor Jenkins and learn when it will suit him to be inaugurated. It is understood that he desires to know his real status before taking his office.

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The Tribune's Washington special says: Despatches from the regular army are becoming decidedly frequent.

Generals Sandford and Swift delivered addresses here before the National Suffrage Association, at Washington, taking strong grounds in favor of negro suffrage.

Great activity prevades both headquarters of the rebels in this city. Anathemas from each party, denouncing the other, continue to be heard. Last night the usual meeting of the Manhattan Lodge was so largely attended that the hall refused to give way, and the meeting adjourned to the 99th regiment's armory. They emphatically indorse O'Mahony.

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Upward of $2,000,000 currency have been issued to National Banks within the last two days making the total amount now issued $228,-500,000.

It is announced that the Secretary of the Treasury has now good reasons for being satisfied that the wants of the War Department will not amount to anything like what he was led to suppose they would. Many circumstances have occurred since the estimates were made to warrant the conclusion now reached, and believed by the Secretary to be correct. He is very confident he can get along during the present year without issuing any more United States notes in public debt, and he is of opinion that next year he will certainly be able to diminish it very much.

There was a hearing yesterday, in the Supreme Court, Judge Leonard presiding, in the case of Robert Martin, an alleged accomplice of Kennedy, the rebel New York hotel incendiary, confined at Fort Lafayette, by order of the Secretary of War. A writ of habeas corpus had been issued by Judge Barnard, addressed to General Hooker, for the purpose of bringing the case into the civil courts. General Hooker was absent from the city at the time the writ was served, and it was left with his Adjutant General, Brevet Brigadier General Van Buren, who made return to it. Judge Leonard dismissed the case on the grounds that the writ was improperly served.

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The speaker said that the only practicable telegraph route in America from ocean to ocean was through Chili. He thought that a line would soon be completed on a plan similar to that over Behring Straits. Two routes are proposed, in both of which Americans are interested. One is to follow the line of a proposed railroad two hundred miles long, and the other is a submarine cable to Valparaiso This line will connect at nearly all points. There is also a project for a Mexican telegraph to Panama, by which news can be conveyed from the United States and Europe to Buenos Ayres, at an expense of a few hundred thousand dollars South of Panama there is not a single commercial steamer, and commerce has been entirely monopolized by a fleet of English steamers. In conclusion, the speaker said he was in favor of the Monroe doctrine, and he hoped the United States would hold to it.

The London Telegraph states the Government had sent out telegraph officers to ascertain whether it were possible to obtain the cooperation of the Chinese Government to establish a telegraph from Kioeuta to Pekin, but the Chinese were averse to the scheme, and the officers have returned.

The remains of Brigadier-General Morris arrived here this morning, and lay in state during the forenoon in the Governor's room of the City Hall. About one o'clock the remains were placed in the hearse and escorted by about 1,000 Regulars to the church, where the usual services of the Episcopal Church were performed, after which the body was removed for interment in the family vault. Gen. Van Buren and several other prominent military and naval officers acted as pall-bearers.

Wall street exhibits a firmer feeling today, and there has been a slight general but irregular advance in gold stocks. The loan market is easy at 7 per cent. Commercial paper is freely offering, and passes at 7@9%. The stock market is firmer, without much activity.

RALEIGH, N. C., December 15

GOV. Worth took the oath of office to-day before the members of the two houses of the Legislature and a number of citizens. The Governor elect delivered a short and moderate address on the occasion, claiming that the people of North Carolina desired the restoration of the Union.

The Legislature will adjourn on Monday morning.

RICHMOND, December 15.

The Legislature has passed a bill reorganizing the Public Guard, a military company formerly employed to guard the public buildings.

A resolution was also adopted recommending the pardon of Jeff Davis and other political prisoners, and the restoration of the privilege of the habeas corpus.

WASHINGTON Dec. 15.

In the case of Lieutenant-Colonel Ward Marston, of the Marine Corps, who plead guilty to the charge of applying to his own use $8 000 intrusted to him by enlisted men of the Marine Corps at the time he was in command of the Marine Barracks of Boston, the court sentenced him accused to be dismissed from the Marine Corps, and declared him utterly disqualified to have or hold any office or employment under the Government, and also declared forfeited all pay and emoluments now due him. The President modified the sentence so far that he be reprimanded by the Secretary of the Navy, suspended for three years, and that one-half his entire pay be deducted until the whole delinquency is paid.

The Secretary of the Navy made the following indorsement: The extract from the record already given is the best reprimand which the nature of the case admits of, for if there be any officer in the naval or marine service who is so unmindful of his duty and his honor as to commit the offense to which Lieutenant-Colonel Marston has pleaded guilty, he would not be benefitted by any reprimand which this department might administer.

BALTIMORE, Dec. 15

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Attorney-General Speed said he rejoiced as much as Mr. Carpenter that peace had again returned. As he understood the argument, that gentleman had maintained that any one who took part in rebellion against the United States, Mr. Garland was still an officer of this court, with as much right to it as to locomotion and property.

On this Mr. Speed took issue. There never was a time when Congress did not prescribe the qualifications for office. The petitioner arrayed himself with those who not only endeavored to destroy this Court, but the Government itself, and thereby ceased to be an officer. Could not the power that made the office destroy it? If the position of the gentlemen was correct, Judge Magrath, who never resigned his place as Judge of the District Court of South Carolina, but who took part in the rebellion, will be restored to his position when he is pardoned, but pardon would not certainly release him.

Take also the case of F. Masters and the officers of the army and navy who participated in the rebellion. It certainly would not be contended that pardon would restore to them their offices and regalia. The proposition is that by his treason Mr. Garland did not forfeit his office and it is insisted that the attorney in this court holds office now. There are public and private corporations and there are offices in the Constitution and also by law. The attorney is not admitted to the bar for the purpose of giving him office. Congress has said that a court may establish rules.

Mr. Speed then controverted other propositions of Mr. Carpenter. The place held by the Attorney was an office. He did not know that the court could prescribe such rules as would deprive him of office? The power of Congress over qualification was known to him when he entered upon it. The decision had been made over and over again that Congress could prescribe qualifications. Offices are held at the will of the power conferring them, and the duties may from time to time be changed. There is nothing like penalty in law. It is qualification. As to whether qualification or penalty depends on the standpoint. A State may say a person under twenty-one years shall not vote or that he shall not vote until he possesses property qualifications. This court may say that a man practicing at its bar must have a fair character, and that he must have practiced for three years in the highest court of his State. He would deprecate any act which would prevent reconstruction, but at the same time would desire Congress to pass such laws as would keep out of high places those who have not been faithful to the country in the past. Was there anything in the spirit of the Constitution—was it so framed that persons who were armed to destroy the Government were armed for justice? Pardons prevent infliction of punishment, but it is not a key to enable the party to unlock offices of the Government.

The President has exercised his power in behalf the petitioner and also to make it impossible to inflict any punishment upon him for the crime of treason. There is an act of Congress which inflicts punishment and excludes him from office. This is the effect of the law, and having committed the offense specified, he cannot clear himself, and it absolutely disqualifies him from holding any civil office.

For example, the members of the court hold office for life, or during their good behavior, and it would not be competent for Congress to pass a law forbidding them to hold office after a certain age. A case of assault and battery is punished by fine, and not by civil disqualification. It would be right for Congress to pass a law requiring a member to swear he had never committed such an offence. The petitioner, while guilty of treason, might have been punished with death by order of the President.

His pardon had the effect of restoring him to all his rights, civil and political, and the holding of office, as fully as if he had never been guilty of the offense of engaging in the rebellion Yet, an act of Congress fixes a perpetual barrier to his holding office, and is in direct opposition to pardon. The President is trying to pardon and Congress to punish. The President may pardon for all offenses, and will be sustained by the Federalist and other authorities, including the former justice of court, the Constitution giving the President power to grant reprieves and pardons.

It was understood in England at the time of the adoption of that instrument. The Constitutionists the same to-day as at the period it was made. Those who stood by the President in the exercise of his duty of full power in War, should see that the Constitution be not shorn of its power in peace. The gentleman referred to the annals of England to show what is meant by pardon, and said it discourages not only punishment, but also the guilt of offense itself. And the eye of the law the person is as innocent as if he had never committed the offense, In other words it makes him a new man. Pardon will enable him to prosecute for libel any one who may call him a traitor or felon. It regenerates him, and to call him traitor is to violate the Constitution of England, and to deny the power of the king to make him a new man. This the Supreme Court has similarly decided.

The gentleman remarked, that, while the pardon says the recipient shall not be punished by law, Congress says he shall. The President only gave him the right of every other citizen It is his country's own fault if he cannot take the oath. It has been decided by the authorities which he quoted, that, while the pardon is a protection against all assaults for a thing done, it can never be the foundation for a claim. If Mr. Garland's office was forfeited when he became a public enemy, is he not coming before the court with the President's pardon, and making it the foundation of a claim. That proposition is done. It is like a forged pardon as a weapon of defence, not the key by which the office can be opened.

Mr. Speed admitted that to call a man who had received pardon a traitor or a felon is actionable. But, suppose it is said that you were a traitor or a felon; this is not actionable. Pardon does not wipe out the fault. It still remains. May not Congress say that such facts are disqualification? Is it not competent for Congress to say that murder is a disqualification here? Is not this embraced in words of rule of fair character? Can it be said that a man has a fair character who comes here after he has attempted to destroy the Government? Does not that disqualify him in the court? Is it not competent for Congress to say pardon shall not qualify a man for practice in this court, and cannot the people of a State say, through their delegated authority, that a man who has committed homicide shall never vote or hold office?

What more power have a people in convention than Congress had under the Constitution? Conventions can prescribe qualifications of candidates for office. Congress has never just as plenary. Mr. Speed maintained that qualification in law or not the penalty, he looked upon it as something which Congress makes it the duty of the court to embrace. After further argument Mr. Speed said, he wanted all the power of the government exercised for the purpose of bringing about peace. No government had ever before passed through so many trials as our own within the last four years. The clerk before whom Garland pleaded had modified the sentence so far that he be reprimanded by the Secretary of the Navy, suspended for three years, and that one-half his entire pay be deducted until the whole delinquency is paid.

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[Special Dispatch to the Louisville Journal.]

CHICAGO, Dec. 15.

Corbett and Fleming, the murderers, were executed in the Court-house this afternoon at three o'clock. They died in the Catholic faith, and were cheerful up to the hour of their death. They committed the heinous deed for which they were executed in November, 1864, having cruelly murdered a farmer named P. Maloney, residing six miles from here, for which, it is stated, they received fifty dollars. Fleming confessed his guilt, but denied receiving any money. The executions have created but little excitement. Only twelve persons were admitted to witness them besides the sheriff and his deputy, among which was a reporter from each of the daily papers.

NEW YORK, Dec. 15.

The Post's Washington special says of the question of the admission of Southern claimants to seats in the House of Representatives that it was now considered and has been fully determined. The vote in the House adopting Mr. Stevens's resolution by a two third majority, they will not be admitted.

The Commercial's Washington special says: The departure last week on Wednesday of the Chief Secretary of the French Legation is connected with recent developments of the Fenian question. The temper of Congress, and the growing popularity with the cause in Mexico by the appointment of General Logan, has led to a communication between Count de Montholon and the State Department, which resulted in sending a message to the French Emperor for definite instructions.

The number of vessels sailing from New York to ports south of Baltimore, Washington, Alexandria, &c., at present average more than fifty each week, and they comprise about two-thirds of all the vessels going to ports in the United States. The number of vessels going to the same ports during the week ending Dec. 6, 1865, was fifty four.

Before the Union League Club in this city last night, Senor Benjamin Vicuna Mackenna, of Chili, speaking of the telegraph of that country, said that Chili was the first country in South America to offer its cordial support to the great idea of encircling the world by a telegraph line. Chili had its first line of telegraph between Santiago and Valparaiso in 1852, and now there are two lines connecting those cities. Chili is now building nine hundred miles of telegraph. When bigoted Spain began a wanton and unjustifiable war, Chili ordered some nine hundred miles of telegraph to be immediately made to protect the country, and immediately sent her soldiers to the place threatened by the Spaniards.

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An investigation just made discloses the fact that S. M. Clark, of the Currency Bureau, and Solicitor Jordan, of the Treasury, were both in possession more than a year ago of all the information in regard to the abstraction of the plate upon which the hundred-dollar counterfeit Treasury notes were printed.

Gen. Spinner, it is said, is now satisfied that the plate was taken from the Currency Department, and that the American Bank Note Company are entirely innocent of the matter.

The Tribune's Washington dispatches say: A Jundan, acting Consul at San Juan, Porto Rico, informs the State Department, under date of November 27, that the ports of Amebo, Aquadilla, and Magnado are to be closed as ports of entry, and left open only for exportation. This regulation will take effect 3 months from the 18th of November.

The Navy Department received advices today from commander Brashear, of the Pacific squadron, dated at Callao, Nov. 21st, stating that the Government of Peru had determined to make a common cause with Chili against the aggressions of Spain.

The clerical force of the Treasury Department is to be reorganized, and diminished one hundred by the 1st of January, 1866.

The Tribune's Washington special says: Gen. Howard's official report concerning the operations of the Freedmen's Bureau and the condition of things in the South is still in the hands of the President, where it has been for seven or eight days, and its publication has not yet been permitted. The delay is ascribed to its containing statements concerning the spirit and conduct of the people in the rebel States. It is calculated to show that the withdrawal of all Federal control from those States would endanger the interests and safety of freedmen and Union people. The publication of the report is looked for with considerable interest.

The Times's Washington dispatches say Hon. B. M. Harris, member of Congress from Maryland, proposes to take his seat. He says he can take the oath. Some believe he will be refured to occupy his seat, and will look upon him as an unworthy member, for the offense of which he was convicted last summer by coart martial.

Mr. Harris claims that the pardon of the President removes political disability.

Hon. Tom Corwin was struck with paralysis last night while at an assemblage of some distinguished Ohioans entertained by J. C. Wetmore, Military Agent.

NEW YORK, December 17.

There was a session of the Fenian Senate yesterday, but its action was not made public. Two newly arrived senators, Daly, of Indiana, who represents the Fenian Constitution, O'Sullivan, of Auburn, were at Union Square headquarters yesterday. Another senator is expected to-day. Mr. O'Mahoney is reported to be getting up a new constitution for the Fenian Republic. He has passed resolutions of non-intervention in the Fenian difficulty.

Both branches of the Fenian Brotherhood are anxiously awaiting the arrival of Stephens, and it is expected that that chief will be at the lookout for him. The steamer City of Boston brought out a delegation of Fenians to the circles at Buffalo, Chicago, and St. Louis.

Further news from Kingston, Jamaica, say san extensive plot for a mutiny, which had been issued by the colonel commanding, refers to the way in which the Sepoy rebels were disposed of by saying they were blown from the mouths of cannon, pursued by fire, and also slaughtered like sheep, sweeping them from the face of the earth, and significally adds some of the heroes who performed these acts, were ready to re-enact them if necessary.

Advices from Cuba announce another delegation will leave that city for Washington to urge the renewal of the reciprocity treaty. A commission has been appointed on behalf of the Canadian Government to endeavor to facilitate trade between the Provinces and the country along the Mediterranean.

A letter from Buenos Ayres says: The Paraguayans are now retreating towards their own borders and concentrating near the town of Empredeado, on the Paraguay river, below that city of Corrientes. They are taking with them large numbers of cattle. One division recently drove before it 14,000 head, and another gathered 15 000 ready to pass over into Paraguay.

Fresident Tompet Thomas, has arrived north of the Paraguay river. One of his chief commanders is under arrest for allowing proposals to be made to himself to sell his command to the enemy.

The allies are moving all their forces toward the Paraguayan coast. The fortification on the river bank at Cuavas has been removed. They have had all their troops relieved from all garrison duty and from the guarding of passes. They are now collecting provisions and have some 50,000 troops. Their army and navy is in a very fine condition. It is thought they will soon end the war.

WASHINGTON, Dec. 17.

Official information has reached the Department of State of the ratification by the Legislatures of Indiana, Georgia, and Alabama of the proposed amendment to the Constitution of the United States on the subject of slavery.

Senor Romero has received official information from Juarez, to the 12th of November. President Juarez, the Cabinet, and other officers of the National Government intended to leave El Paso on the 13th of that month for the City of Chesparro.

The French had retired as far as Durango, and it was understood that they would abandon that State in their movement of concentration.

While Mr. Burlingame, our minister to China, was in this city he was the recipient of much attention, not only from the Secretary of State and other high dignitaries of the Government, but from the diplomatic corps.

Gov. Corwin has been gradually sinking all day. The physicians say he cannot survive, and will not live through the night. Many prominent friends called to-day to inquire into his condition. He has been unconscious ever since he was stricken by paralysis last night.

The Postmaster-General has addressed a circular to railroad managers, mentioning the fact that service on the railroad generally during last winter was so irregularly performed as to prevent the transmission of the mails promptly. The remedy, he says, is with the companies. Lessen the number of cars on the trains, especially on those carrying the through mails to the maximum that will not necessarily prevent the schedule time being regularly made, and the difficulty will be removed. The request now made is not unreasonable, but demanded alike for the interests of the government and he public.

WASHINGTON, Dec. 16.

The President to-day received the following dispatch:

MILLEDGEVILLE Dec. 15.

*To his Excellency Andrew Johnson, President of the United States:*

The Legislature takes a recess till the 15th of January, after having elected Senators. Governor Jenkins was inaugurated yesterday. You will be pleased with his address. I feel confident that there will be entire harmony between him and yourself.

J. JOHNSON,
Provisional Governor.

The United States frigate St. Lawrence, which for a long time has been naval ordnance ship at Norfolk, has been put out of use and her stores transferred to the frigate Constitution. The former commander of the St. Lawrence, Captain Lowell, is ordered to report for duty at Philadelphia.

THE CASE OF TENNESSEE.—The National Intelligencer discusses the claims of the Tennessee delegation to seats in the present Congress in the following manner:

We have no disposition to make a needless issue with Congress, but there are salient points in the national case which cannot escape discussion, and on which the country will naturally demand light and explanation.

For example. It may well be asked. On what principle are the members returned to Congress from Tennessee deprived of their seats? We make this marked distinction between those individually to other States—since, in our regard, in all consequential aspects, the members returned from the South stand together—but we instance Tennessee because her case seems to convict even the sentimental radicalism of remarkable inconsistency.

It will be remembered that there was an attempt in the Republican party, when assembled in convention at Baltimore, to treat the State of Tennessee as out of the Union, notwithstanding Tennessee was represented in the convention by Hon. Horace Maynard and others; and as if to signify the Republican administration of Tennessee, Andrew Johnson was nominated by that convention. What weight his name gave to the ticket was especially signified at that time by the prominent friends of the Secretary of State, and all the world knows the labors and their results of Andrew Johnson, both as Provisional Governor of Tennessee and as an orator in behalf of the success of the Lincoln ticket.

Messrs. Fowler and Patterson are returned as Senators from Tennessee. The former was Comptroller of the State under Andrew Johnson as Military Governor. This should vouch for his loyalty, and his substantial of ultra "loyal" *party*. Hon. Mr. Patterson was an extra from East Tennessee for nearly two years, because of his devotion to the Union. Hon. Horace Maynard, a returned member to the House from Tennessee, was an ardent Union man, who was in Congress *in the midst of the war*; he was a prominent member of the Baltimore Republican Convention, and during the Lincoln canvass he was a traveling orator in New York and Indiana and elsewhere in behalf of the Republican nominations. Colonel Hawkins, another returned member from the same State, was a Union military officer in the service, and he also traveled and spoke during the last Presidential canvass in behalf of Lincoln and Johnson. And we might instance the others in the Tennessee delegation much in the same way.

Now, is it not a little remarkable (we will leave law and patriotism out of the question) that even a *party* majority should banish Tennessee, the home of the President, and thus represented, even for an instant, from the Capitol!

We, however, repeat emphatically what we said at the outset—that no moral, legal, or constitutional reason exists to sustain the Clerk of the House in his course, whereby he has omitted to enroll the Southern States, nor does any legal reason sustain the House in shutting its doors against any duly returned member; but the case of Tennessee is almost as remarkable as that of the fabled Saturn, who devoured his own children!

To what complexion has the nation come at last if, after all, the logic of the late war is to be interpreted after the fashion of party radicalism? Shall a war, maintained and carried to a successful issue in behalf of the Union, be made to result by a party in the triumph of secession? Here is the issue in a nutshell between the President and the radicals. Far better is it to settle this issue in Congress than before the great tribunal of the people.

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## THE THIRTY-NINTH CONGRESS.

LIST OF MEMBERS OF THE SENATE AND HOUSE.

### SENATE.

| | Term expires. |
|---|---|
| **CALIFORNIA.** | |
| *Jos A. McDougal*..... | 1867 |
| John Conness..... | 1869 |
| **CONNECTICUT.** | |
| Lafayette S. Foster..... | 1867 |
| James Dixon..... | 1869 |
| **DELAWARE.** | |
| *Geo. R. Riddle*..... | 1869 |
| *Willard Saulsbury*..... | 1871 |
| **ILLINOIS.** | |
| Lyman Trumbull..... | 1867 |
| Richard Yates..... | 1871 |
| **INDIANA.** | |
| Henry S. Lane..... | 1867 |
| *Thos. A. Hendricks*..... | 1869 |
| **IOWA.** | |
| (Vacancy)..... | 1867 |
| Jas. W. Grimes..... | 1871 |
| **KANSAS.** | |
| Samuel C. Pomeroy..... | 1867 |
| Jas. H. Lane..... | 1871 |
| **KENTUCKY.** | |
| *Garrett Davis*..... | 1867 |
| *James Guthrie*..... | 1871 |
| **MAINE.** | |
| Lot M. Morrill..... | 1869 |
| Wm. P. Fessenden..... | 1871 |
| **MASSACHUSETTS.** | |
| Chas. Sumner..... | 1869 |
| Henry Wilson..... | 1871 |
| **MICHIGAN.** | |
| J. A. J. Creswell..... | 1867 |
| *Reverdy Johnson*..... | 1869 |
| **MINNESOTA.** | |
| Zachariah Chandler..... | 1869 |
| Jacob M. Howard..... | 1871 |
| **MISSOURI.** | |
| B. Gratz Brown..... | 1867 |
| John B. Henderson..... | 1869 |
| **NEVADA.** | |
| James W. Nye..... | 1867 |
| Wm. M. Stewart..... | 1869 |
| **NEW HAMPSHIRE.** | |
| Daniel Clark..... | 1867 |
| Aaron H. Cragin..... | 1871 |
| **NEW JERSEY.** | |
| *William Wright*..... | 1869 |
| *John P. Stockton*..... | 1871 |
| **NEW YORK.** | |
| Ira Harris..... | 1867 |
| Edwin D. Morgan..... | 1869 |
| **OHIO.** | |
| John Sherman..... | 1867 |
| Benj. F. Wade..... | 1869 |
| **OREGON.** | |
| James W. Nesmith..... | 1867 |
| Geo. H. Williams..... | 1871 |
| **PENNSYLVANIA.** | |
| Edgar Cowan..... | 1867 |
| *Chas. R. Buckalew*..... | 1869 |
| **RHODE ISLAND.** | |
| Wm. Sprague..... | 1869 |
| Henry B. Anthony..... | 1871 |
| **VERMONT.** | |
| Luke P. Poland..... | 1867 |
| Solomon Foot..... | 1869 |
| **VIRGINIA.** | |
| Peter G. Van Winkle..... | 1869 |
| Waitman T. Wiley..... | 1871 |
| **WISCONSIN.** | |
| Timothy O. Howe..... | 1867 |
| Jas. R. Doolittle..... | 1869 |

Union (in Roman), 38; Democrats (in *Italic*), 11.
*Contested.
The following are Senators elect from States lately in rebellion:

| | |
|---|---|
| ALABAMA. | SOUTH CAROLINA. |
| Geo. S. Houston, | John L. Manning, |
| Lewis S. Parsons. | Benj. F. Perry. |
| ARKANSAS. | TENNESSEE. |
| E. Baxter. | David T. Patterson. |
| Wm. D. Snow. | J. S. Fowler. |
| LOUISIANA.* | VIRGINIA. |
| R. K. Cutler. | John C. Underwood. |
| Michael Hahn. | Joseph Segar. |
| MISSISSIPPI. | |
| Wm. L. Sharkey. | |
| J. L. Alcorn. | |

*The Louisiana Legislature has just ignored Cutler and Hahn, and elected Randell Hunt and Henry as Senators from that State.

### HOUSE OF REPRESENTATIVES.

| Dist. | | Dist. | |
|---|---|---|---|
| | CALIFORNIA. | | NEVADA. |
| 1—Donald C McRuer, | | Delos R. Ashley. | |
| 2—Wm. Higby, | | | OHIO. |
| John Hilbert, | | 1—John T. Starr, | |
| | COLORADO. | 2—William A. Nowell, | |
| George M. Chilcott, | | 3—*Charles Sherman*, | |
| | CONNECTICUT. | 4—*Andrew J. Rogers*, | |
| 1—*Henry C. Deming*, | | 5—*E. V. R. Wright*, | |
| Samuel L. Warner, | | | OREGON. |
| 2—Augustus Brandegee, | | 1—*Stephen Tuber*, | |
| 4—John H. Hubbard, | | 2—Rufus Mallory, | |
| | DELAWARE. | 3—James Humphrey, | |
| *John A. Nicholson.* | | 4—*Morgan Jones*, | |
| | ILLINOIS. | *Nelson Taylor*, | |
| 1—John Wentworth, | | 6—Henry J. Raymond, | |
| 2—John B. Farnsworth, | | 7—*J. Wiath'p Chanler*, | |
| 3—Fidlon McDowell, | | 8—*James Brooks*, | |
| 4—Isaac N. Morris, | | 9—William A. Darling, | |
| 5—Aaron C. Harding, | | 10—*William Radford*, | |
| 6—E. C. Ingersoll, | | 11—*Charles H. Winfield*, | |
| 7—Burton C. Cook, | | 12—John H. Ketchum, | |
| 8—H. P. H. Bromwell, | | 13—Gilbert A. Hubbard, | |
| 9—Shelby M. Cullom, | | 14—*Charles Goodyear*, | |
| 10—*Lewis W. Ross*, | | 15—John A. Griswold, | |
| 11—*Anthony Thornton*, | | 16—Martin Welker, | |
| 12—John Baker, | | 17—Calvin T. Hubbard, | |
| 13—A. J. Kuykendall, | | 18—James M. Marvin, | |
| | INDIANA. | 19—Thomas Hubbard, Jr., | |
| 1—William E. Niblack, | | 20—Addison H. Laflin, | |
| 2—Michael C. Kerr, | | 21—Roscoe Conklin, | |
| 3—

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# WEEKLY JOURNAL.

NEW YORK, December 11.

The Tribune's Washington special contains the following: Advance copies of the census report were distributed to Congressmen on Saturday. Senator Nye will to-day introduce a bill disfranchising all who voluntarily took the oath of allegiance to the Southern Confederacy.

The colored men's petition, asking for suffrage in the District of Columbia, is ready for submission to Congress. It has over 700 signatures.

To-morrow the Government sells at Alexandria 250,000 feet of lumber, 2,500 tons of railroad iron, and 2,000 car wheels—the largest sale ever at that place.

The World's Washington dispatch says that the question of the admission of the Tennessee representatives elect will be brought up in the House to-day.

The Tribune's special says: Written invitations have been issued, convening the New York Republican Congressional delegation at the house of the Hon. Henry J. Raymond, on Monday evening, to act upon the candidate for Collectorship.

All vessels and trains of cars bound to the United States are now, in accordance with the law, duly inspected and sealed by American Consuls resident on the north side of the St. Lawrence, and the Commissioner is of opinion that this precaution will, in a very great measure, prevent smuggling operations on the Canadian frontier in future.

Speculators are busily engaged in different parts of the country buying up soldiers' discharges, for which they are paying from $100 to $600. In Massachusetts $300 was been paid and in Ohio $600. If a sufficient number can be purchased, the lobby will endeavor to force Congress to pass a law giving bounties to all soldiers who have not had them, and equalizing those who have.

The War Department has appointed Major Wynkoop, lately in command of Fort Lyon, to give safe escort to the commissioners from Black Kettle and Little Raven, the Chiefs of the Cheyennes and Arapohoe Indians, to the north of Platte river, to meet and consult with that portion of their tribes who, for some time past, have been alienated from them, and who are considered hostile to the Government, in order to convince them of the necessity of immediately entering into relations of amity with the United States, and the propriety of their rejoining their respective tribes.

A number of runners have already been sent out by the Chiefs mentioned, and, as they have never been known to dissemble, Governor believes, from the representations made, that they were waylaid and murdered on the way by United States troops, who have come to regard every Indian as their enemy. During the war a large number of the Cheyennes and Arapohoes went South with the Camanches, and it was with these that the late commission under General Sanborn formed the late treaty, at the mouth of the Little Arkansas river.

The Herald's Washington special says that the Pension Bureau has lately decided to confine its action until a final disposition is made of all cases below the number of forty-five hundred.

The ladies employed in the Treasury Department propose to petition Congress to increase their salaries.

Chauncy M. Depew declines the position of Minister to Japan.

A special to the Times says: About four hundred editors of the President's message from as many journals have been received at the White House. About ninety-nine per cent of these heartily indorse the President's position and commend his proposed future policy.

The case of the United States against Gov. Pearce, of Boston, arising out of and involving the history of the great Flood fraudulent account, will come up this week in the United States Court of Claims. Gen. Caleb Cushing is counsel in the case.

In the Church of the Holy Trinity in Brooklyn, Lafayette avenue, on Sunday evening, he was ordained to the priesthood of the Church by Bishop Leigh, of Arkansas, and Bishop Potter, relative to the Protestant Episcopal Freedmen Aid Society, in which its objects were explained and appeals made in its behalf and for the object, the conversion and instruction of the freedmen in the South.

Impressive religious services in honor of all who fell in defense of the republic during the late rebellion took place last evening in the Tabernacle Church, corner of Broadway and Thirty-fourth street, in the presence of a congregation which crowded every part of the building.

There were musical exercises of a superior character, and a sermon recounting the heroism, sufferings, and virtues of the fallen, and describing the grand results which are dawning on the nation from their devotion and sacrifice, was preached by the pastor of the church, Rev. Dr. Thompson.

The Times's special says: Gen. Banks visited the President Saturday, and gave him assurance of co-operation in carrying out the measures proposed in the Message.

Reliable official information has been received by Gen. Howard, which exonerates Gen. Tillson, in his management of freedmen in Wilkes county, Georgia. The most outrageous conduct toward the freedmen has followed the withdrawal of the military in the county and also in other parts of the State, and Hon. N. M. Reeves, District Judge, of Wilkes county, Ga., asks, at the request of the freedmen and respectable citizens, that the troops be sent back, and Gen. Steadmen has ordered the troops to that county.

Representatives of and commissioners in behalf of the State of Missouri arrived at Washington on Saturday, with instructions to present Congress the claims of that State for four million dollars, alleged to be due for expenditures on account of the Government during the war.

The joint commission for the settlement of claims between the United States of America and the United States of Columbia have disposed of sixty-two cases, or about one-third of the whole number presented, and of them will result in judgment for the claimants.

The World's Washington special says that the State Department received by the last steamer the important dispatch from our Minister to England. There is strong reason to believe that England will back down from her position on the Alabama case, and at once consent to an equitable adjustment of the questions in dispute. The tenor of the last dispatch from the State Department, which emanated from the President himself, was calculated to open the eyes of the English Government.

A gentleman returning from England to a gentleman in this city by the last mail remarks that the Queen is our friend, and she will not allow Earl Russell to take any position that will cause estrangement between the two Governments.

The celebrated Albany Bridge case comes up in the Supreme Court this week, and will be argued by Daniel S. Dickinson.

Dr. Mercy, Reading Clerk of the House of Representatives, who has been seriously ill, is gradually recovering.

Mr. James E Murdoch has so far recovered from his sudden illness as to be able to fulfill his engagements in the North.

The World's special says that a meeting of the friends of Gen. Butler in Congress has been held for the purpose of consulting as to the course they ought to take respecting the assault of Gen Grant upon their chief. They are disposed to fight Wendburne's resolution creating the rank of General, and defeat it if possible.

General Butler is expected here to-morrow, when their plans will be arranged. He has been engaged in preparing a reply. General Butler, it is reported, told that Stevens a few days since that it would have been well if there had been more corked bottles in the army in which General Grant made his headquarters.

WASHINGTON, Dec. 11.

HOUSE.

In the House Mr. Blaine, of Maine, introduced a resolution reimbursing the Royal Swedish for the advances of money made and the debt contracted for the preservation of the Union. Referred to a committee of seven.

Sherrill introduced a joint resolution declaring against the amount to establish a monarchy in Mexico, requesting the President to take such steps as will vindicate the American policy and protect its honor and the interests of the United States. The resolution was referred to the Committee on Foreign Affairs.

Jenks introduced a bill to establish a uniform system of bankruptcy, which was referred to a special committee.

Mr. Wentworth introduced a bill prohibiting the importation of cattle from foreign countries, in order to prevent the spread of the cattle disease. Passed.

Mr Eliot of Massachusetts introduced a joint resolution, which was referred to the Select Committee of Fifteen, declaring the condition of the States recently in rebellion, and the position of Congress in relation to them.

Mr. Van Dorn, of Maryland, offered a resolution instructing the Committee on Foreign Relations to inquire what measures and means are necessary on the part of the United States to restore to Mexico the free and unrestricted right to a republican government. The previous question on the resolution was not seconded and it lies over.

WASHINGTON, Dec. 11.

SENATE.

Mr. Wilson presented the petition of Francis Cook and 2,400 other citizens of the District of Columbia asking the right of suffrage. Referred to the Committee on the District of Columbia.

The President pro tem. announced the following committee to act with the House committee on the subject of Mr. Lincoln's death: Messrs. Foote, Yates, Wade, Fessenden, Wilson, Doolittle, Lane, of Kansas, Harris, Nesmith, Lane, of Indiana, Whitley, and Henderson.

Mr. Sumner presented a bill to confirm land titles granted by Gen. Sherman to colored men on sea islands. Referred to the Committee on the Judiciary.

Mr. Brown introduced a bill to grant bonds for the construction of a railroad through Missouri and Arkansas to the Pacific coast by the Southern route, which was referred to the Committee on the Pacific Railroad.

Mr. Nye gave notice of a bill to change the eastern boundary of the State of Nevada so as to include the territory to be taken from Utah and Oregon.

Mr. Nye also gave notice of a bill for the speedy completion of the Pacific Railroad.

Mr. Howard introduced a resolution calling upon the President for what information he has in his possession respecting the occupancy of Mexico by the French, which was adopted.

The President laid before the Senate the petition of Sisters of Mercy of Chicago, asking for the appropriation of money for the enlargement and improvement of Mercy Hospital in Chicago, which was referred to the Committee on Claims.

The President pro tem. laid before the Senate the memorial of the North Carolina Legislature, asking the repeal of the test oath.

Mr. Wilson introduced a bill to prevent the sale of bills, bonds, or scrip, and other evidences of debt of the so-called Confederate States, or any of them, which punishes as felony the buying, selling, or holding of such evidences of debt with the penalty of five hundred dollars fine and imprisonment for not less than one year nor more than ten, which was referred to the Judiciary Committee.

The House introduced a bill providing that whenever a person who is entitled to a pension for injuries received in the military service shall die before the time of filing his application, allowance of the full amount of his claim shall be made to the executor.

Mr. Brown presented a bill to grant land for aiding in the construction of a railroad to the Pacific coast, through Arkansas and Missouri, by the Southern route. Referred to the Committee on the Pacific Railroad, and ordered to be printed.

Mr. Wade introduced the following, which were referred to the Committee on Foreign Affairs:

Whereas, In a letter of instructions, dated July 30th, 1862, directed to the General commanding the French forces in Mexico, the Emperor of the French indicated his policy concerning the affairs of this continent by declaring it was his intention to establish a monarchy in Mexico, which would restore to the Latin race on this side of the Atlantic all their strength and prestige, guarantee security to the French West India colonies and those of Spain, secure the interests and establish the influence of France in the center of America, and prevent the people of the United States from taking possession of the Gulf of Mexico from which they would command the Antilles and South America, and become the only dispensers of the products of the New World; and whereas, in pursuance of said policy, an effort has been made to establish a monarchy in Mexico contrary to the wishes of the people and to support Maximilian in his usurpation by European soldiers; and whereas, among other acts contrary to the spirit of the age and humanity, the so called Emperor of Mexico, by a decree dated September 5th, 1865, practically re-established slavery in his dominions, and, by a decree dated October 3d, 1865, has violated the usage of civil law by denying to the Mexican Republican troops the rights of belligerents and ordering their execution wherever found within twenty-four hours after their capture; therefore, be it

*Resolved by the Senate and House of Representatives of the United States*, 1. That we contemplate the present condition of affairs in the Republic of Mexico with the most profound solicitude.

2. That the attempt to subjugate one of the Republican Governments of this continent by a foreign power, and to establish on its ruins a monarchy, sustained solely by European bayonets, is opposed to the declared policy of the United States Government, offensive to our people, and contrary to our institutions.

3. That the President of the United States be requested to take such steps concerning this matter as will indicate the recognized policy and protect the honor and interests of our Government.

On motion of Mr. Howard, the President was requested to furnish the Senate with all the correspondence in the possession of the Government touching the occupation of Mexico by the French troops.

On motion of Mr. Chandler, the President was requested to give the Senate all the correspondence and other information in his possession relative to the barbarous decree of the so-called Emperor of Mexico, ordering all Mexicans found defending the sacred cause of independence, to be shot without trial.

Mr. Cowan submitted the following resolution, which was objected to by Mr. Sumner, and goes over under the rules.

*Resolved*, That the President of the United States be, and he is hereby, requested to furnish to the Senate information of the state of that portion of the Union lately in rebellion; whether rebellion has been suppressed, and the United States put again in possession of the States in which it existed; whether the United States courts are restored, post-offices re-established, and the revenues collected, and whether in either the people of those States have recognized their governments, and whether they are yielding obedience to the laws and government of the United States.

HOUSE.

The Speaker then announced the following standing committees: Commerce—Messrs. Washburne, Illinois; Elliott, Massachusetts; Dixon, Rhode Island; O'Neal, Pennsylvania; Lenyear, Michigan; Jas. Humphrey, New York; J. S. Thomas, Jr., Maryland; Eggleston, of Ohio; J. M. Humphreys, New York.

Military Affairs—Schenck, of Ohio; Darning, Connecticut; Morston, New Hampshire; Kasson, Kentucky; Bingham, Ohio; Ancona, Pennsylvania; Ketchum, New York; Blaine, Maine; Wentworth, Illinois.

Naval Affairs—A. H. Rice, Massachusetts; Griswold, New York; Pike, Missouri; Kelly, Pennsylvania; Brandegrod, Connecticut; Eldridge, Wisconsin; Phelps, Maryland; Darling, New York; J. Blond, Ohio.

Foreign Affairs—Banks, Massachusetts; Raymond, New York; Orti, Indiana; W. H. Randall, Kentucky; Dawson Pennsylvania; Patterson, New Hampshire; Newell, New Jersey; Colom, Illinois; Winfield, New York.

On Election—Dawsman, Schofield, Pennsylvania; Upson, Michigan; Marshall, Illinois; Paine, Wisconsin; Shellabarger, Ohio; McClung, Missouri; Rodfield, New York.

Ways and Means—Merrill, Vermont; Hooper, Massachusetts; Brooks, New York; Garfield, Ohio; Wentworth, Illinois; Conkling, New York; Moorehead, Pennsylvania; Allison, Iowa; Hogan, Missouri.

Appropriations—Stevens, Pennsylvania, Raymond, New York; Bliss, Missouri; Kasson, Iowa; Voorhies, Indiana; Farnsworth, Illinois; Scudding, Ohio; Higby, California; Wright, NY.

Banking and Currency—Pomeroy, New York; Hooper, Massachusetts; Culver, Pennsylvania; Beckwith, Ohio; Hardine, Kentucky; Lynch, Maine; Depus, Indiana; Randall, Pennsylvania, Hubbard, District of Columbia; Ingersoll, Illinois; Dumont, Indiana; Davis, New York; Baldwin, Massachusetts; McCullough Missouri; Colt, Wisconsin; Walder, Ohio; Mercier, Pennsylvania; Shankland, Kentucky.

Judiciary—Wilson, Iowa; Bontwell, Massachusetts; Francis Thomas, Maryland; Woodbridge, Vermont; Morris, New York; Rogers, New York; Cooke, Illinois

District of Columbia—Messrs. Ingersalls, of Illinois; Dumont, of Indiana; Jones, of New York; Baldwin, of Massachusetts; McCullough of Maryland; Colt, of Wisconsin; Walker, of Ohio; Mercier, of Pennsylvania; Shanklin, of Kentucky.

Judiciary—Messrs. Wilson, of Iowa; Bontwell, of Massachusetts; Francis Thomas, of Maryland; Williams, of Pennsylvania; Woodbridge, of Vermont; Morris, of New York; Rogers, of New York; Lawrence, of Ohio; Cooke, of Illinois.

Pacific Railroad—Messrs. Price, of Iowa; Stevens, of Pennsylvania; Donnelly, of Minnesota; Ames, of Massachusetts; Brooks, of New York; Law, of Maine; Clark, of Kansas; Bidwell, of California; Henderson, of Oregon.

Claims—Messrs. Delane, of O.; Hotchkiss, N. Y.; Washburne, Mass; Sloan, Wis.; M. Bisck, Ind.; McKee, Ky.; Wood, N. Y.; Barker, Pa.; Thornton, Ill.

Public Lands—Messrs. Julian, of Indiana; Driggs, of Michigan; Glossbrenner, of Pennsylvania; Donnelly, of Minnesota; Ashley, of Ohio; Haines, of New York; McRaer, of California; Anderson, of Maine; Tabor, of New York.

Post-offices—Messrs. Aller, of Massachusetts; Farquahar, of Indiana; Finck, of Ohio; McRuer, of California; Terry, of Michigan; Johnson, of Pennsylvania; Kuykendall, of Indiana; Hibbard, of New York; Kliso, of Missouri.

Revolutionary Claims—Messrs. Walker, of West Virginia; Newell, of New Jersey; Eldridge, of Wisconsin; J. L. Thomas, Jr., of Maryland; Wilson, of Pennsylvania; Van Horn, of New York; Clark, of Ohio; Trowbridge, of Michigan; Trimble, of Kentucky.

Public Expenditures—Messrs Hubbard, of New York; Broomwell, of Virginia; Hubbard, of Iowa; Rollins, of New Hampshire; Janes, of New York; Smith, of Kentucky; Warner, of Connecticut; Nicholson, of Delaware.

Private Land Claims—Thayer, of Pennsylvania, Hotchkiss, New York; Baker, of Illinois; Hays, of Ohio; Goodyear, of New York; Buttwell, of Massachusetts; Woodbridge, of Vermont; Nocll, of Missouri; Kerr, of Indiana.

Manufactures—Messrs Moorehead, of Penn.; Ames, Mass.; Bundy, Penn.; Trimble, Ky.; Hale, N. Y.; Harding, Ill.; Sawyer, Wis; Hubbard, West Va.; Hubbell, N. Y.

Agriculture—Messrs. Bidwell, of California; Grinwell, Iowa; Gridwell, of Indiana; Baxter, of Vermont; Kitler, of Kentucky, Trowbridge, of Michigan; Hubbell, of Ohio; Lawrence, of Pennsylvania. Bergen, of New York.

Indian Affairs—Messrs. Windom, Minn; McIndoe, Wis.; Denison, Penn; Hubbard, Iowa; Clark, Kansas; Henderson, Oregon; Hart, N. Y.; Ross, Ills.; Harborn, Mo.

Militia—Messrs. Smith, Ky.; Harding, Ills.; Bucklin, Ohio; Hale, N. Y.; Noell, Mo.; Phelps, Md.; Farquahar, Ind.; Perry, Mich.; Boyer, Penn.

Territories—Messrs. Ashley, Ohio; Beaman, Mich.; J. M. Rice, Me.; Orbin, Ky.; Vine, N. Y.; Stronse, Penn.; Hill, Ind.; Starr, N. J.; Moulton, Ills.

Revolutionary Pensions—Messrs. McIndoe, of Wisconsin; Price, of Iowa; Bangor, of Pennsylvania; Covode, of New York; Upson, of Michigan; Brandice, of Vermont; Washburne, of Massachusetts; Walker, of Ohio; Holmes, of New York.

Invalid Pensions—Messrs. Perham, Me.; Stillwell, Ind; Taylor, N. Y.; Dregge, Mich.; Van Earen, N. Y.; Lawrence, Penn; Sawyer, Wis.; Benjamin, Mo.; Harding, Ky.

Roads and Canals—Messrs. Beaman, Mich.; Van Horn, N. Y.; J. H. Hubbard, Conn.; Rousseau, Ky; Fentworth, Ill.; Davis, N. Y.; Miller, Penn; Defrus, Ind.; Finck, Ohio.

Patents—Messrs. Jencks, of Rhode Island; Myers, of Pennsylvania; Chandler, of New York; J. H. Hubbard, jof Connecticut; Brownwell, of Illinois.

Public Buildings and Grounds—Messrs J. H. Rice, Me.; Starr, N. J.; Wilson, Pa. LeBlond, O.; Lathom, W. V.

Revisal and Unfinished Business—Messrs. Schofield, Pa; F. Wilson. Ind; Ashley, O.; A. H. Rice, Mass; Pomeroy, N. Y.; Willsay Anderson, Mo.; Marsiin, N. H.; Plants, O.; Grider, Ky.; Kuykendall, Ill.

Accounts—Messrs. Rollins, N. H.; Bromwell, Penn.; Eckley, O.; Kerr, Ind.; Ward, N. Y.

Coinage, Weights, and Measures—Kasson, Ia.; Winfield, N. Y.; Jones, Penn.; Bandy, O.; Daws, Mass.

Expenditures of the State Department—Messrs. Pike, Me.; Bromwell, Ill.; Hart, N. Y.; Shellebarger, O.

Expenditures of the Treasury Department—Messrs. Marion, N Y.; Culver, Penn.; Hill, Ind.; Chilton, Ills.; Rivers, Penn.

Expenditures of the War Department—Messrs. Deming, Conn.; Sloan, Wis.; Miller, Penn.; E M. Hubbell, N. Y.; J. R. Hubbell, O.

Expenditures of the Navy Department—Messrs. Humphrey, N. Y.; Julian, Ind; Minelton, Ill; Warner, Conn; Dennison, Penn.

Expenditures of the Post-office Department—Messrs. Baker, Ill.; Myers, Penn.; Darling, N. Y.; Eggleston, O; Rogers, N. J.

Expenditures of Interior Department—Messrs. Dumont, Ind; Sumner Penn; Benjamin, Mo.; Allison, Ia.; McKee, Ky.

Expenditures on Public Buildings—Messrs. Longyear, Mich; Baldwin, Mass.; Dixon, Ohio; Johnson, Pa; W. H. Randall, Ky.

Joint Committee on Library—Messrs. Hayes, Ohio; Kelly, Pa; Hubbard, N. Y.

Joint Committee on Printing—Laffin, N. Y.; A. W. Clark, Ohio; Lathom, W. Va.

Joint Committee on Enrolled Bills—Messrs Cobb, Wis; Glossbrenner, Pa.

Select Committee on Rules—The Speaker; Messrs. Washburn, Ill.; Banks, Mass.; Raymond, N. Y.

Select Committee on Bankrupt Law—Messrs. Jenckes, R. I.; Spaulding, O.; Thomas, Md.; Blair, Mo.; Lynch, Me; Thornton, Ill.; Alley, Mass.

Select Committee on Freedmen—Messrs. Elliott, Mass.; Ely, Penn.; Orth, Ind; Bingham, O; Taylor, N. Y.; Sloan, Mo; Grinnell, Ia; Payne, Mich.

The House refused to suspend the rules for the consideration of a resolution giving the Representatives from the Southern States privileges of the floor. Much other business was transacted.

Mr. Blaine introduced a bill to reimburse loyal States for advances made and debts contracted in support of the war, and, on motion, it was referred to a select committee of seven members.

Mr. Ward introduced a bill, which was referred to the Committee on Military Affairs, granting bounty land and money to United States soldiers, who served during the rebellion. The bill provides for giving bounty land, and money to all soldiers who enlisted prior to Jan 25, 1863, and were honorably discharged. The object is to make the bounty of this class of soldiers equal to that of those who subsequently enlisted. It also provides for the repeal of a law which allowed former masters of colored soldiers who enlisted to receive their bounty.

Mr. Delone introduced a joint resolution for an amendment to the Constitution, making it the duty of each State to provide for the rightful pursuit of happiness, all its inhabitants without distinction of color or race. Referred to the Committee on Judiciary.

Mr. Ashley, of O., presented the memorial of C. D. Porter asking to be admitted as delegate from the Territory of Arizona. Referred to Committee on Elections.

Mr. Ashley also introduced a bill to develop and reclaim the public lands requiring irrigation in the Territories of Idaho, Colorado, Arizona, and Montana, and the State of Nevada, which was referred to the Committee on Public Lands.

Mr. Stevens introduced a joint resolution proposing an amendment to the Constitution of the United States that all National and State laws shall be equally applicable to every citizen, and no discrimination shall be made on account of race or color. Referred to the Committee on the Judiciary.

Mr. Wentworth's bill was passed. It provides that the importation of cattle shall be prohibited. The Secretary of the Treasury is required to make such rules and regulations as this law full and immediate effect and to send the copies thereof to the proper officers in this country and foreign ports, when the President shall have given thirty days' notice by proclamation that no further danger is apprehended. This law shall be of no force and cattle will be imported in the same way as heretofore.

Mr. Van Horn, of Missou.i, introduced the following:

Whereas, The forcible seizure of Mexico by foreign troops, the seating of a foreign Emperor on a throne erected on the ruins of that Republic, and his retention by foreign bayonets is in violation of all these, and cannot be permitted by the United States; therefore,

*Resolved*, That the Committee on Foreign Relations be instructed to inquire into and report what measures and means may be necessary on the part of the United States to restore to the Mexican people the free and unrestricted right to a republican form of government, and of giving effect to the unanimous determination of the people of this nation that no power shall impose a despotic government on any State or people of this continent.

Mr. Van Horn moved the previous question.

Mr. Stevens said in voting for the proposition: Shall we vote for all the preamble affirms? If it were a mere matter of inquiry he would be an entirely different thing. He suggested that it go over for the present. The House refused to second the demand for the previous question.

The Speaker called a resolution had been passed providing for the appointment for a committee of one from each State to take action respecting the death of Mr. Lincoln. This was offered by Mr. Washburne, of Illinois, the gentleman's colleague.

Mr. Wentworth subsequently offered a resolution to inquire into and report a bill for the relief of Mrs. Lincoln.

The chair announced the following resolution inviting the Representatives from Tennessee to take seats in the hall, Mr. Eldridge offered his resolution noticed yesterday sustaining the President in his policy of reconstruction. The House by 75 to 66 refused to second the demand for the previous question on its passage.

NEW YORK, Dec. 12.

The Commercial's money article contains the following:

During the present week the Sub-Treasury will pay out a considerable amount of currency as interest upon the second issue of 7 30 notes. At the same time the issues of bank currency continue to augment at the rate of $4,000,000 per week. So long as any portion of the $300,000,000 authorized remains unissued, there can be no scarcity of currency. There is no anticipation of a panic, yet that is a contingency which is therefore in the duty of the Government to maintain the civil rights of freedmen. The most cold-blooded atrocities were being perpetrated upon these freedmen, and it was the duty of Congress to interfere. Whatever difference of opinion there might be on the subject of negro suffrage, they ought to be now in duty bound to make good the guarantees of the Government.

Mr. Johnson said there were serious legal objections to the bill under consideration; that it did not name any bills or laws, but all laws of a certain character. Besides, it only repealed all laws already made, but if the Southern States are in the Union, they have the right to make public laws for themselves. He had never believed the Southern States were out of the Union, and he was glad to see in President Johnson's message, which was one of the ablest ever issued, a concurrence in this view. The people in the South were now as anxious to restore as they once were to leave, and he believed there was as much philanthropy at the South as in the North. He was sorry to see the impression sought to be created that the people of the South were barbarians.

Mr. Saulsbury said, when the Constitutional Amendment was before the Senate one Senator claimed the right under the second section to give to the Government the powers of a Constitutional Government untrameled. He thought the bill was premature in the sense stated by Mr. Sherman, as there was no official confirmation of the passage of the Constitutional Amendment, and until the adoption of that Amendment there might be some difficulty as to the right of Congress to do what was proposed. After the adoption of the Amendment there could be no doubt as to the power of Congress. If the second section did not confer this power upon Congress, he would ask the Senator from Delaware for what purpose it was intended.

Mr. Saulsbury—I do not know what it meant. I have nothing to do with it. But I would ask the Hon. Senator whether it was before this body for adoption? He avowed in his advocacy of it that it was meant for such purpose as now claimed.

Mr. Trumbull—Mr. President, I never understood it any other way.

Mr. Saulsbury—Did you state it so at the time?

Mr. Trumbull—I do not know that I stated it so. I might as well have explained that the clause which declares that slavery shall not exist means that slavery shall not exist. I could make it no clearer. I reported it from the Judiciary Committee for the very purpose of conferring upon Congress the authority to see that the first clause was carried out in good faith.

Mr. Saulsbury said he did not see how gentlemen holding that the Southern States are not in the Union could regard the Constitutional Amendment as adopted. It required three-fourths of the States to adopt the amendment, and that number could not be obtained without counting the Southern States.

On motion of Mr. Howard, the Senate adjourned.

HOUSE.

Mr. Schenck, of the Committee on Military Affairs, reported a joint resolution requesting the President to suspend any order mustering out officers of the Veteran Reserve Corps until Congress shall have time to consider what disposition shall be made of the corps.

A brief debate occurred on the resolution, during which Mr. Schenck said the privates belonging to the corps had for the greater part been mustered out, and the question now was, what was to be done with the officers? The cashiered officers were summarily dismissed out of service, they having families dependent upon them for support.

Remarks were made by other members, when the joint resolution was passed.

On motion of Mr. Stevens the House took up and concurred in the Senate's amendment to a joint resolution appointing a committee of fifteen to consider and report on the condition of the late so-called Confederate States.

Mr. Chandler renewed his remarks in opposition to the resolution.

Mr. Ancona, of Penn., moved to lay Mr. Farnsworth's motion on the table.

Disagreed to, ayes 44; nays 113. The resolution was then referred to a select committee of fifteen on the Southern States.

The House then took up Mr. Farnsworth's resolution, heretofore offered, declaring that justice requires that freedmen be admitted to all the rights and privileges of citizenship. It was moved to refer it to the select committee of fifteen on the Confederate States.

Mr. Chandler, of N. Y., took issue, denying that the black man is equal to the white man. These remarks were suspended by expiration of the morning hour.

Mr. Gowan did not believe the bill would accomplish what its author desired, and thought an amendment to the Constitution was the only way to reach the matter, and he believed such an amendment would pass Congress within a month.

Mr. Wilson referred to certain cases passed in Southern States since the abolition of slavery, which he said subjected the freedmen to a worse condition than slavery itself. The condition of the freedmen of the South was worse to-day than it was on the day of Lee's surrender.

Mr. Sherman sympathized with the objects of the bill. He believed it to be the duty of Congress to secure freedom to emancipated slaves, but he believed such legislation ought to be postponed until a proclamation is issued announcing the adoption of the Constitution repealing the assent heretofore given to the division of that State by the formation of the State of West Virginia. The letter was then read and laid upon the desks of members today, and attracted much comment.

The World's Washington special says that Gen. Logan has finally declined the mission to Mexico.

It is said that the Emperor Napoleon a short time since addressed a letter direct to the Secretary of State, asking for the recognition by the United States of Maximilian's Government as a government *de facto*. The ground upon which he based his request was, that it had maintained itself for nearly two years, and was therefore entitled to such recognition.

It is said the Secretary of State has replied to the note, and that he emphatically declines to accede to the request, and gives at length the reasons therefor. He denies that it is a Government *de facto*; that the whole people of the United States are pledged against any such recognition if there was any ground for it, which there is not; that from the best information obtainable from that distracted country the liberal party have not yielded obedience, and do not intend to, but on the contrary their cause is in the ascendant.

This prompt reply, taken with the action of both Houses of Congress, in regard to the position of the Government, will probably open the eyes of the Emperor.

The Herald's Macon, Ga., correspondent states that Alexander H. Stephens, in declining to be a candidate for Congress, suggested the election of men not identified with the Confederacy.

The Herald's Richmond correspondent says: Everything is quiet in General Terry's department.

An order from Quartermaster-General Meigs has been received ordering the immediate discharge of all employes who were in any way connected with the rebel service.

The same journal's Charleston correspondent says: A new legal question, growing out of the emancipation of the negroes, has been raised in South Carolina. It is, whether debts incurred for slaves purchased before the proclamation took effect are now collectable. Many of the people of the Palmetto State are deeply interested in this matter, being still in arrears on old purchases from the Virginia slave-dealers. The subject has been brought to the attention of the Legislature, which it is expected will make provision for partially discharging the creditor's claims.

WASHINGTON, Dec. 13.

SENATE.

Mr. Foster, President *pro tem.*, in the Chair.

Mr. Wilson was excused from further service on the Committee on Pensions and Revolutionary Claims.

Mr. Brown introduced a bill to reimburse the State of Missouri for expenses incurred in enrolling, equipping, and provisioning the militia. The bill was ordered to be printed and referred to the Committee on Military Affairs.

Mr. Guthrie presented a remonstrance from certain citizens of Louisiana against the reception of Hahn and Carter as Senators from Louisiana.

Mr. Grimes objected to the remonstrance, as it was addressed to Jacob Barker, and not to the Senate, and it was ordered to lie on the table.

Mr. Foote presented a resolution, which was referred to the Committee on the Contingent Expenses of the Senate, providing for the payment to the widow of the late Mr. Chilmers the amount due to that Senator at the time of his death.

Mr. Grimes offered a resolution, which was adopted, instructing the Committee on the Library to inquire into the expediency of the appointment of a reporter to prepare the reports of the Senate proceedings for the Associated Press.

Mr. Sherman, from the Committee on Agriculture, reported a House bill to prohibit the importation of cattle so as to prevent the spread of disease.

Mr. Stewart submitted a joint resolution embracing the following articles to be proposed as amendments of the Constitution of the United States:

1st. The union of the States under this Constitution is indissoluble, and no State can absolve its citizens from the obligation of paramount allegiance to the United States.

2d. No engagement made or obligation incurred by any State, or by any number of States, or by any county, city, or other municipal corporation to or in support, aid, or relief of the authority of the United States, or to support said any legislature, convention, or body in hostility to such authority, shall ever be held valid, or be assumed or sustained in whole or in part by any State or by the United States. The resolution was referred to the Judiciary Committee.

On motion of Mr. Sumner the House took up the resolution calling for information regarding persons employed in the Treasury department who have not taken the oath of allegiance, and whether there are persons employed and paid for offices not provided by law. The resolution was passed.

Mr. Wilson called up a bill to maintain the freedom of the inhabitants of the States declared to be in insurrection and rebellion by the proclamation of the President of July 4th, 1862. It declares all laws heretofore in force or held as valid in the insurrectionary States, whereby any inequality of the civil rights and immunities among the inhabitants of those States on account of race or color is made null and void. Mr. Wilson explained the nature of the bill. He said the proclamation of the President of the 22d of September, 1863, declaring emancipation pledged the faith of the Government of the United States to maintain the freedom of the persons declared to be free. This was repeated in the proclamation of the 1st of January. It was therefore the duty of the Government to maintain the civil rights of freedmen. The most cold-blooded atrocities were being perpetrated upon these freedmen, and it was the duty of Congress to interfere. Whatever difference of opinion there might be on the subject of negro suffrage, they ought to be now in duty bound to make good the guarantees of the Government.

Mr. Johnson said there were serious legal objections to the bill under consideration; that it did not name any bills or laws, but all laws of a certain character. Besides, it only repealed all laws already made, but if the Southern States are in the Union, they have the right to make public laws for themselves. He had never believed the Southern States were out of the Union, and he was glad to see in President Johnson's message, which was one of the ablest ever issued, a concurrence in this view. The people in the South were now as anxious to restore as they once were to leave, and he believed there was as much philanthropy at the South as in the North. He was sorry to see the impression sought to be created that the people of the South were barbarians.

Mr. Saulsbury said, when the Constitutional Amendment was before the Senate one Senator claimed the right under the second section to give to the Government the powers of a Constitutional Government untrameled. He thought the bill was premature in the sense stated by Mr. Sherman, as there was no official confirmation of the passage of the Constitutional Amendment, and until the adoption of that Amendment there might be some difficulty as to the right of Congress to do what was proposed. After the adoption of the Amendment there could be no doubt as to the power of Congress. If the second section did not confer this power upon Congress, he would ask the Senator from Delaware for what purpose it was intended.

Mr. Saulsbury—I do not know what it meant. I have nothing to do with it. But I would ask the Hon. Senator whether it was before this body for adoption? He avowed in his advocacy of it that it was meant for such purpose as now claimed.

Mr. Trumbull—Mr. President, I never understood it any other way.

Mr. Saulsbury—Did you state it so at the time?

Mr. Trumbull—I do not know that I stated it so. I might as well have explained that the clause which declares that slavery shall not exist means that slavery shall not exist. I could make it no clearer. I reported it from the Judiciary Committee for the very purpose of conferring upon Congress the authority to see that the first clause was carried out in good faith.

Mr. Saulsbury said he did not see how gentlemen holding that the Southern States are not in the Union could regard the Constitutional Amendment as adopted. It required three-fourths of the States to adopt the amendment, and that number could not be obtained without counting the Southern States.

On motion of Mr. Howard, the Senate adjourned.

HOUSE.

After a brief debate, in which Messrs. Grider Smith, and Fink expressed their desire that Tennessee members should be sworn in, on motion of Mr. Raymond, of N. Y., their credentials were referred to the select committee on the so-called Confederate States. Yeas, 126; nays, 41. The House then, by a vote of 90 against 63, laid on the table a resolution to admit the Tennessee members elect to the privilege of the floor.

Pending the discussion, at a subsequent stage of the proceedings, a resolution was passed that until otherwise ordered the Clerk call other Representatives from Tennessee be invited to take seats in the House of Representatives. Adopted, yeas 133, nays 35.

After the passage of a resolution inviting the Representatives from Tennessee to take seats in the hall, Mr. Eldridge offered his resolution noticed yesterday sustaining the President in his policy of reconstruction. The House by 75 to 66 refused to second the demand for the previous question on its passage.

NEW YORK, December 8.

The Commercial's money article contains the following:

During the present week the Sub-Treasury will pay out a considerable amount of currency as interest upon the second issue of 7 30 notes. At the same time the issues of bank currency continue to augment at the rate of $4,000,000 per week. So long as any portion of the $300,000,000 authorized remains unissued, there can be no scarcity of currency. There is no anticipation of a panic, yet that is a contingency which is therefore in the duty of the Government to maintain the civil rights of freedmen. The most cold-blooded atrocities were being perpetrated upon these freedmen, and it was the duty of Congress to interfere. Whatever difference of opinion there might be on the subject of negro suffrage, they ought to be now in duty bound to make good the guarantees of the Government.

Mr. Johnson said there were serious legal objections to the bill under consideration; that it did not name any bills or laws, but all laws of a certain character. Besides, it only repealed all laws already made, but if the Southern States are in the Union, they have the right to make public laws for themselves. He had never believed the Southern States were out of the Union, and he was glad to see in President Johnson's message, which was one of the ablest ever issued, a concurrence in this view. The people in the South were now as anxious to restore as they once were to leave, and he believed there was as much philanthropy at the South as in the North. He was sorry to see the impression sought to be created that the people of the South were barbarians.

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